The New-York Times.

VOL. XXIV.....NO. 7379. NEW-YORK, TUESDAY, MAY 11, 1875.—TRIPLE SHEET. PRICE FOUR CENTS.

A GIGANTIC WHISKY RING.

DISTILLERS, RECTIFIERS, DEALERS, AND REVENUE OFFICERS IN IT.

A DESCENT MADE YESTERDAY AND THIRTY DISTILLERIES AND RECTIFYING ESTABLISHMENTS SEIZED IN WESTERN CITIES—EXTENT OF THE FRAUDS PERPETRATED AND THE MODE OF OPERATION OF THE RING—ACCOMPLICES IN WASHINGTON FURNISHING INFORMATION TO THE RING AFFECTING THEIR INTERESTS—CONCLUSIVE EVIDENCE OF COLLUSION OF OFFICIALS—VIGOROUS PURSUIT OF THE CULPRITS AND THE CONTRABAND GOODS.

Special Dispatch to the New-York Times.

WASHINGTON, May 10.—Officers of the Government to-day made descents upon the dishonest and cheating distillers and whisky dealers in St. Louis, Milwaukee, Chicago, Evansville, and in several other cities in the West and South. No very specific reports of the success of the operations, except in St. Louis, have been received to-night, but in that city alone seizures of property to the value of $700,000 have been made. Very important seizures have without doubt been made in Chicago and Milwaukee, while it is possible that in some instances in other cities the work was not completed, and will be continued to-morrow. The distilleries which it is believed have been seized are sixteen in number; five at St. Louis, one at Evansville, Ind., four at Chicago, and six at Milwaukee. The principal rectifying houses in these cities have also been visited, and the seizures of distilleries and rectifying establishments have been at least thirty. The investigations have been proceeding quietly but vigorously, through the office of the Solicitor of the Treasury, till within the last ten days, since when the officers of the Internal Revenue Bureau have been co-operating in the work. It was not till a few days since that the alarm was given to the Whisky Ring, and the information from St. Louis shows that, after all, they were not expecting the method of proceeding adopted, though they were anticipating trouble. The ring has had efficient spies, and those who have been in confidential relations with high officers, as the following incident, which also illustrates the magnitude of the fraudulent combinations, will show. It was decided last Friday, very secretly, by Secretary Bristow, in connection with only a few of the officers necessary for the duty, and with the knowledge of the Cabinet, that the seizures should be made to-day. Saturday the St. Louis distillers were informed from Washington that the lightning would strike on Monday. They were not, however, able to avert the force of the stroke. Supervisor Hawley was sent from New-York to St. Louis to attend the seizures there; Supervisor Tuton went from Philadelphia to Chicago, and Hedrick, of Iowa, to Milwaukee. Supervisor McDonald, of the St. Louis district, resigned a few days since for reasons best known to himself. It may be said that the evidence thus far obtained does not show that these Supervisors or Collectors of the districts were in collusion with the Ring, but they cannot escape readily the charge of at least gross inefficiency. It is not just, in the absence of evidence, to make the charge more serious. The seizures have, as will be seen, been the most extensive and important of the kind ever made in this country.

THE INJUSTICE TO HONEST TRADERS.

Complaints of respectable firms engaged in the liquor traffic, that contraband spirits were upon the markets in such quantities as to interfere with legitimate trade, were brought to the attention of Secretary Bristow early in the Winter. He gave the subject careful consideration, and conferred with Commissioner Douglas, who was confident that only very small lots of distilled spirits could escape the payment of taxes and such alone as was manufactured in out of the way places, and smuggled into trade in an unusual manner. He relied upon the perfection of the system of collection which he had arranged, and the integrity of the officers in the service. He claimed, as the sequel shows, rightly, that extensive evasions of the whisky tax could not succeed without collusion and corruption among internal revenue officers, particularly among gaugers and storekeepers. He did not believe his officers were corrupted to such an extent as the complaints would imply.

DETECTIVES EMPLOYED NOT KNOWN TO THE REVENUE OFFICIALS.

Secretary Bristow did not dismiss the subject from his mind, and facts continued to reach him which confirmed his belief that the whisky tax was by no means thoroughly collected. He had reached this conclusion as long ago as the latter part of February, and even before the tax was increased from seventy to ninety cents. About the 22d of February, he received information that movements of special agents of the Internal Revenue Bureau, and business transactions of that office were promptly communicated to members of the suspected Whisky Ring who were constantly informed of every official action which it was for their interest to know. This condition of affairs seemed to the Secretary to demand action on his part, and he determined to employ new and unsuspected agencies to operate independently of the Revenue Bureau, especially as it had become well established that agents of that bureau could make no movement whatever without the knowledge of parties in the Ring. The Secret Service force of Solicitor Wilson's office was therefore brought into the work. The Secretary called the attention of the President to his efforts to break up the fraudulent practices of the Whisky Ring, and has received throughout the President's hearty co-operation in everything that has been done.

DISCOVERIES IN CHARLESTON, NEW-YORK, PHILADELPHIA, AND BOSTON.

The first information which the Secret Service agents obtained related to transactions in St. Louis, and led to the conclusion that frauds were being committed there upon a large scale. On the 19th or 20th of April the Department received a telegram stating that certain suspicious shipments had been made by Bevis & Frasers, from St. Louis to Savannah, Charleston, and Wilmington. The Chief Clerk of the Solicitor's office was thereupon sent to those places with letters accrediting him to the internal revenue officers, and was instructed to cause careful examination to be made of the shipments in question, and particularly to take records of the serial numbers of the warehouse and tax-paid stamps. There were discovered by this examination packages in Charleston and Savannah bearing the same numbers, and the fact was established that Bevis & Frasers were duplicating their goods. In the system of making collection of the whisky tax, it is impossible that two packages of liquor upon which the tax has been honestly paid should bear the same number, and the duplication of numbers was conclusive evidence of fraud. The information gained in the cities above mentioned was made serviceable in investigations conducted at New-York, Philadelphia, and Boston, from which still further disclosures have resulted, magnifying the fraudulent transactions previously discovered.

THE SEARCH FOLLOWED IN ST. LOUIS, CHICAGO, AND MILWAUKEE.

Following up the inquiry respecting duplication of numbers, the most trusted men in the secret service were sent to St. Louis, Chicago, and Milwaukee, and every suspected distillery and rectifying establishment was placed under the strictest surveillance. To St. Louis was sent James J. Brooks, Assistant Chief of the secret service, formerly well known in connection with proceedings in Philadelphia against the Ring there. Mr. Herr, of Philadelphia, was sent to Chicago.

THE CHECKS ON FRAUD.

At this point of the history of the detection of the frauds, it seems necessary to explain in brief the series of checks that have been established to guard against the sale of the product of the stills till the Government tax has been paid. The distiller keeps an account of the barrels produced and sent to the bonded warehouse, together with the dates and serial numbers of the barrels; the Government Storekeeper keeps also an account of the packages received, together with serial numbers and the value and serial numbers of the warehouse stamps attached. The Storekeeper also renders an account of the packages sent out from warehouse, and all packages have to be removed the same day the tax-paid stamp is attached. So there can be no mingling in store of stamped and unstamped packages. The accounts can be compared with each other, and should, of course, agree. They show, also, how many packages ought to leave the warehouse on any particular day. If more barrels were removed on any one day than the accounts show to have been stamped and delivered, a fraudulent issue is conclusively proved. The special agents would, therefore, take rooms in some place where they could command a view of the warehouse operations, and would count very carefully all the packages delivered. The counts on being compared with the records established still further the existence of fraudulent deliveries of spirits. In short, the operations of the special agents show that the dealers who have been implicated were paying taxes upon only about one-half their production, or that the Government got the tax only on one barrel in every two barrels produced. In addition to the means before alluded to for detecting irregularities are the wholesale dealers' accounts, which by law are open to examination by Government officers. These accounts must show from whom each package was received, the serial numbers of the package and of the stamps upon it. Transcripts of all the wholesale dealers' books have been made in New-York, Boston, and Philadelphia, and they afford the means, by comparison with the official accounts, of tracing out each untaxed package that reached the market through regular trade channels. The work of comparison is now in progress, and will be pushed forward with unremitting activity.

THE MODES OF OPERATING OF THE DISHONEST PARTIES.

There were several methods discovered by which the frauds detected were perpetrated. The following is a description of one of the favorite modes. It involved collusion between the distiller, the rectifier, the gauger, and, perhaps, the storekeeper. Each distiller had a favorite rectifier. For instance, Bevis & Frasers sent their goods to Bevis, Frasers & Co.; Ulric, distiller, and Tenscher, distiller, sent their products to G. Bensberg; and Bingham, Brothers, who also have branch houses in Evansville, Ind., and New-Orleans, sent their goods to Foederer to be rectified. All these parties, by the way, are in St. Louis. Under the regulations of the Internal Revenue Bureau, when goods are sent to a rectifying establishment, the rectifier must, before emptying the package, give notice on a blank form, No. 122, of his intention to rectify or re-distill. The form requires that the serial number of the packages, the numbers of the warehouse and tax-paid stamps, with the number of gallons and proof of the spirits, and the name of the original inspector, and the distiller who produced it, shall be stated. When this notice from the rectifier is received at the office of the Collector, he sends a gauger back to the rectifying house with it, and the gauger is required to verify the numbers and contents of the packages, and on the bottom of the form he must certify that he saw the contents of the packages emptied, and the stamps, marks, and numbers on the barrels erased and destroyed. When the spirits have thus been emptied in the presence of the gauger and the proper entries have been made, the notice is returned to the office of the Collector, and at the end of the month, all such notices are forwarded from the Collector's office to the Commissioner of Internal Revenue. The history of the barrels of highwines thus disposed of, if all the officers concerned have done their duty, is ended so far as the Government is concerned, since the tax has been paid on the production, and the rectifier and various dealers through whom it afterward passes to the consumer, are dealt with according to other methods.

THE OFFENSE OF THE PERSONS IMPLICATED.

The law has been violated by the implicated producers and officers, who have either emptied the barrels without destroying the stamps, and have sent them back to the distillers to be refilled and introduced into trade surreptitiously, or in most of the cases openly, without suspicion, through regular channels. In some cases the erasure of numbers and marks on the emptied barrels has been apparently complete, but the stamps have been carefully and ingeniously "lifted," and returned to the distiller to be reused.

ANOTHER MODE OF DEFRAUDING THE GOVERNMENT.

Another method of defrauding the revenue was to take out twice as many barrels as taxes were paid upon, and afterward to introduce the untaxed packages into trade in such a way as to elude suspicion from the local officers in cities to which goods were shipped. The shipments to Charleston and Savannah, before mentioned, illustrate this method.

"EXTRAS."

The evidence shows that the sales of untaxed whisky have been made chiefly to dealers in New-York. To some of them the fraudulent character of the transactions was doubtless known, while other dealers procured their goods in a perfectly regular manner without suspicion of wrong. The illicit goods, as has been heretofore stated, were known to the dealers by the name of "extras."

EXTENT OF THE FRAUDS.

The fradulent operations have been upon a grand scale. In St. Louis five out of six distilleries—Busby being the only name not previously mentioned—have been implicated. In Chicago four out of seven distilleries are charged with evasion of the tax, and cheating the Government. They are the Lake Shore Company, the Union Copper Distilling Company, R. C. Meserean and D. G. Russell. The following rectifiers are also implicated: Rollee, Junker & Co. and Golsen & Eastman. In Milwaukee six out of ten distillers and seven rectifying houses have been implicated. The investigation shows that in St. Louis alone the revenues have been defrauded to the amount of $1,000,000, and there is evidence that from the 1st day of January to and including the 1st day of April, 3,000 barrels of untaxed spirits have been placed in the market by St. Louis distillers. The tax on a barrel of highwines is about $60, in round numbers, so that the Government has lost since the beginning of the year $175,000 in that city.

AID FROM HONEST DEALERS IN SPIRITS.

The Treasury officers have had efficient aid from many reputable dealers in spirits who suffered by the competition with contraband goods. Special Agent Yaryon, of the Internal Revenue Bureau, has, while engaged in other duties, given efficient aid to the Secret Service Force in discovering the frauds of the Ring. Investigations conducted at Cincinnati failed to disclose any irregular transactions in that city.

THE CHANGE OF SUPERVISORS.

It is a significant fact in connection with the detection of frauds at St. Louis and Chicago, that when the order of changing the Supervisors from their own to other districts was made, Munn of Illinois and MacDonald of Missouri were the only Supervisors who came here to protest against the execution of the order.

RIGOROUS PROSECUTION OF THE CULPRITS.

The law follows the spirit wherever it may be found, till it has paid the tax, and through taxes and penalties much that has been lost may be recovered. Secretary Bristow has given orders that no compromises must be considered. The evidence is overwhelming against the parties implicated, and their cases must go into the courts.

EFFECT OF A CHANGE OF OFFICIALS IN NEW-ORLEANS.

Till recently large quantities of "extras" came from New-Orleans, but when Supervisor Hunt succeeded Cobb he changed the storekeepers and gaugers, and soon after four distilleries wound up their business, and New-Orleans "extras" have been discontinued.

THE SEIZURES IN ST. LOUIS BY SUPERVISOR HAWLEY—NINE ESTABLISHMENTS TAKEN POSSESSION OF.

ST. LOUIS, Mo., May 10.—Lucian Hawley, Supervisor of Internal Revenue of New-York, and a corps of Assessors, arrived here to-day, and seized the following distilleries and rectifying establishments: Rudolph Ulrici, Bingham Brothers, John Busby, Bevis & Frazer, Lewis Tencher, distillers, and G. Bensbarge, Bevis, Frazer & Co., F. C. Federer, A. Quinlan & Bros., and J. L. Bercecker, Rectifiers. The charge against these persons is illicit distilling and evasion of the Revenue laws. At Ulrice's 1,700 barrels of whisky were seized; at Bingham Bros.', 160, and at Tenscher's, 300 barrels. The amount taken at the other establishments is not known.

THE SEIZURES AT MILWAUKEE.

MILWAUKEE, Wis., May 10.—A party of officers under charge of Supervisor Hedricks and Capt. Brooks, of the Secret Service Division of the Treasury Department, arrived here to-day, and entered upon the work of seizing distilleries in connection with the Collector of this district. The rectifying establishments of A. Schoenfeldt and Rindskopf Brothers, and the distillery of the Menomonee Distilling Company were seized, and the distilleries of Thomas O'Neill, the Kinnickinnick Distilling Company, L. Rindskopf, Charles Grau, and F. Bergenthal were placed in charge of keepers. It is understood that all the distilleries in the district will be seized, with two exceptions. The character of the evidence upon which the seizures were made is not disclosed.

THE POSITION OF THE LIQUOR-DEALERS IN THIS CITY.

ALLEGED WHISKEY MONOPOLY IN THE WEST—FACILITIES FOR FRAUD.

It is claimed by some of the wholesale liquor-dealers of this City that there has been little, if any, whisky manufactured in New-York for several years past, and that all the "highwines" came from the West three months ago. Western liquor was called "one-stamped whisky." It was sold at less than cost, including the duty. Like the old brand whisky which was quoted at mid-day at less than the Government impost, the liquor from Ohio and other States was looked upon with suspicion because the manufacturers' rates showed that they were making ruinous sacrifices. It has been found that the West furnished the whisky and that the New-York dealers were not very particular about the stamps on the barrels. They claimed that the West had a monopoly of the manufacture, that Government officials were privy to the monopoly, and that it would be useless, therefore, to make a fight. For these reasons they bought Western whisky at rates which indicated that it could be made for twenty or thirty cents a gallon, and it soon became a drug in the market. A short time ago it was said that the Government had decided to seize all such whisky, but the idea was abandoned with a view to get at the large distilleries that furnished it. Some of the former manufacturers of liquor in this City claim that Government officials have had an interest in preventing distillation in New-York and permitting it in Western cities.

ANN ELIZA AGAINST BRIGHAM YOUNG.

THE CASE DECIDED—THE MOTION FOR AN ATTACHMENT DENIED.

SALT LAKE CITY, May 10.—In the case of Ann Eliza against Brigham Young, application of plaintiff for a writ of attachment to compel payment of the $500 per month alimony, *pendents lite*, from the time of the commencement of the suit, nearly two years ago, as awarded by Chief Justice McKean, a decision was rendered to-day by Chief Justice Lowe. It is quite lengthy, and may be summarized as follows: In all cases of divorce the law was plain and the authorities overwhelming that alimony could not be awarded unless a void marriage was either first admitted by the parties or proved. The defendant had alleged in his answer that the marriage in question was a bigamous and polygamous one, and the allegations not being denied, must be taken as true. If such a marriage was entered into ignorantly by defendant, equity will open its doors for her relief, but upon the case as it stands, it is not, in the judgment of the court, according to the principles of equity or good conscience, to enforce the payment of *ad interim* alimony. It appears from the record that the alleged marriage was celebrated in this city, and that the plaintiff and defendant both reside in this city. It cannot, therefore, be a difficult or expensive duty for the plaintiff to place upon record a confirmation or some explanation of the unexampled and extraordinary allegations made if any just explanation exists; and the court holds that such explanation is due to the common principles of equity and public justice before proceeding further in the direction sought. It would be strange indeed, if, upon such a state of facts, uncontroverted by any rule of pleading or of law and, unextenuated by any evidence, it could be imposed as a duty upon a court of equity to direct or enforce payment of alimony, and thus bestow apparent if not indeed real sanction of the law upon a practice which is hostile to the civilization of the age, and which the penal statutes of the land visit with condign punishment.

The motion for an attachment is denied and the rule discharged.

THE LOST SCHILLER.

ADDITIONAL PARTICULARS OF THE WRECK.

FIFTY DEAD BODIES PICKED UP BY CRUISING BOATS—SEVEN MORE MAIL-BAGS RECOVERED.

LONDON, May 10.—Boats cruising in the vicinity of the wreck of the steamship Schiller continue to pick up bodies of the drowned. When the steamer left St. Mary's Island to-day nearly fifty had been found. Seven mail-bags, in addition to those reported recovered, have been saved. They contained mostly San Francisco and Auckland newspapers.

THE SEA TOO HEAVY FOR BOATS TO GET CLOSE—THE STEAMER FIRMLY SETTLED ON THE ROCK—LIFE BELTS PUT ON ALL THE WOMEN WHEN THE VESSEL STRUCK, BUT THEY PROVED USELESS IN THE HEAVY SEA.

LONDON, May 10.—The sea is too heavy to-day for boats to approach the wreck of the steamship Schiller. No floating salvage of any importance has yet been recovered. Fishermen report that the Schiller is firmly settled on a rock and will not fall off into deep water. Although it is difficult to approach the wreck now, there will be many days in the Summer when salvage may be effected. There was a life-belt in every one of the Schiller's berths. When the disaster occurred, the Captain issued orders that one should be fastened to every woman. This was done, but the women were drowned by the heavy sea.

THE INQUEST—VERDICT OF "ACCIDENTAL DROWNING"—THEY RECOMMEND A TELEGRAPH BETWEEN BISHOP'S LIGHT AND THE SHORE—ALL MIGHT HAVE BEEN SAVED.

LONDON, May 10.—An inquest was held to-day, at St. Mary's, on twenty bodies from the steamer Schiller.

H. Hillers, first officer of the Schiller, testified that at the time the vessel struck, Capt Thomas and another officer were on the bridge. Two men were looking out forward, and two others were on the bridge with the Captain.

The jury rendered a verdict of "accidentally drowned," coupled with a recommendation that a telegraph be established between Bishop's Light-house and the shore. They express the opinion that if such communication had existed, all on board the Schiller would have been saved. Officers Hillers and Poleman concur in this opinion.

The remains of Mrs. Hermine Weste were privately buried after the inquest. The bodies unclaimed were also buried. The funeral was attended by Mr. Borrien Smith, the owner of the Scilly Islands, the Coroner and members of the jury, and nearly all the inhabitants of the island. The bodies were first numbered and careful record was made of the valuables, marks, &c., found on each. They were then inclosed in separate coffins. Two graves were dug, each twenty-five feet long. In these the coffins were placed in two layers.

Since the inquest was held, fifty more bodies have washed ashore or been picked up. The total number now recovered is ninety-one.

The following dead have been identified:

Miss S. Dimock.
Mrs. Clara Just.
Mrs. Anna Eisner.
Mrs. Susanne Dueckfield.
Mrs. Altman. (?)
Mrs. Augustus Munter.
Mrs. Lines. (?)
Augustus Munter.
Henry Friend.
Hermann Spritz.
P. A. Paulsen.
—— Rabro. (?)
—— Sayers. (?)

Also the Doctor, the butcher, and the Third Engineer of the Schiller.

THIRTY-SEVEN BODIES BURIED.

LONDON, May 11.—The number of bodies buried yesterday was thirty-seven.

AT THE COMPANY'S OFFICES.

ANXIOUS FRIENDS AT THE OFFICE ALL DAY—TELEGRAMS FROM ALL PARTS OF THE COUNTRY—ANXIETY TO RECOVER THE BODIES OF THE DEAD—BILLS OF EXCHANGE CARRIED BY THE PASSENGERS—THE CARGO OF THE SCHILLER—LOSSES AND INSURANCES.

As might have been expected, the visitors to the Eagle Steam-ship Agent's office, No. 113 Broadway, were very numerous yesterday forenoon and during a part of the afternoon. Most of them believed that they would ascertain the names of additional persons rescued, or at least receive the assurance of the recovery of some of the bodies and their identification. In both expectancies everybody was disappointed, for up to the time of closing the office no word of news was received by the agent [Mr. Knauth] or by anybody else, so far as could be learned. Indeed, no information could have been obtained except by or through the agents, with whom alone the people in Penzance, Plymouth, Scilly, or Hamburg were in direct correspondence. Therefore the dozens of men and women who called yesterday had to be content with the meagre information contained in the following telegram, which was received at No. 113 Broadway, at 6:45 yesterday morning:

HAMBURG, May 10—9 A. M.

Consul Kuhns, New-York:

Only fifteen passengers saved from Schiller. Names telegraped you yesterday. We do everything to recover and identify bodies.

TRANSATLANTIC.

Such being the case the next anxiety manifested by the visitors was as to the probable disposal of any of the bodies that may be discovered hereafter. Nearly all desired to have the bodies of their friends, if found, embalmed, and sent to America if possible. Such was the wish of Deputy Surveyor Klink, whose brother Dwight, it is supposed, was on the bridge with Capt. Thomas during the last trying moments of the disaster, and who perished with that officer. Young Mr. Klink had been especially commended to the care of the Captain by their friend Postmaster James. The relatives of the Ridgeways, Mrs. Caverly, Mr. C. W. Walter, and children, and Clara and Frank Gregory telegraphed to their acquaintances in Europe to have the bodies, should they be recovered, embalmed and sent to America. To facilitate this purpose the agent, Mr. Knauth, instructed Mr. Stevens by cable thus:

Transatlantic:

HAMBURG, May 10.

Telegraph names passengers' bodies as identified.

KNAUTH.

Stevens, Barbican, Plymouth.

This formula is required, although the dispatch is from Mr. Knauth, of New-York, to Mr. Stevens, of Plymouth, because the Directors' and main office of the company is at Hamburg, not in New-York. For the same reason, as Mr. Knauth informed a TIMES reporter yesterday, the official investigation and its results will be forwarded to Hamburg before any of its particulars are sent by the English agents to New-York. Such dispatches as the following were received from all parts of the country during the day:

HIGHLAND, Ill., May 10.

To Knauth, Nachod & Kuhne, No. 113 Broadway:

Telegraph and identify bodies of Louis G. Suppiger, John Suppiger, Mrs. J. Suppiger, Miss Adeline Suppiger, and Johnny Suppiger. If found have them buried and graves marked; forward papers and valuables belonging to or found on them to Highland, Ill. All expenses guaranteed.

TIMOTHY GRUAZ, Agent Eagle Line.

DETROIT, May 10.

To Knauth, Nachod & Kuhne:

The bodies of Mr. Alvin Stockman, Mrs. H. Reichlin and Mr. Michael Manguen, if found, shall be sent here. Please attend at my expense.

JULIUS STOLL, Company's Agent.

DAVENPORT, Iowa, May 9.

To Agent Eagle Line, New-York:

Is Otto Kirscher saved? Answer at once.

GESS & KIRSCHER.

To Agent Eagle Line, New-York:

Were H. Stoetling and family passengers on the Schiller? Answer at once. B. A. NAPHEYS.

DAVENPORT, Iowa, May 9.

To Agent Eagle Line, New-York:

Is C. F. Haase saved? Answer at once.

GUST. HAASE.

SHENANDOAH, Penn., May 10.

To Agent Eagle Line, N. Y.:

Is Doctor Kern's name among saved at last report? Answer. DR. LUKS.

BOSTON, May 10.

To Agents Eagle Line, N. Y.:

GEORGETOWN, Col., May 9.

Is the name of Percival among list of saved on Schiller? BAKER & MORRILL.

To all the same unsatisfactory reply was given—"No news! Perhaps we shall hear to-day or this evening whether any more bodies have been found and identified." Up to 6 P. M. none had been, and as the difference of time between Plymouth and this City made 6 o'clock here midnight there, Mr. Knauth deemed it very unlikely that any news worth cabling had been obtained by Mr. Stevens. Therefore the office in this City was closed for the night.

In a conversation had with Mr. Knauth yesterday, that gentleman said that one of the most fortunate circumstances connected with this untoward event—the loss of the Schiller—was that the greater number of the passengers had followed his advice and had taken out bills of exchange on London or Continental cities instead of gold. Most of these bills were furnished by Knauth, Nachod, & Kuhne, the Eagle Line's agents and also bankers, so that now the firm has stopped the payment of the drafts abroad, and is prepared to refund the money to the heirs of the deceased passengers on presentation of properly authenticated claims. Mr. Knauth said that the aggregate amount of the drafts would reach $18,000 or $19,000. A few of the passengers had gold with them. In all probability it has been lost.

Among those who called at the office yesterday was Charles Schuler, who lost his wife and little daughter. He desired that their bodies be buried, and the graves marked, as he leaves by the Cimbria on Thursday, to find, or if they have been found to bring them back with him.

The friends of Carl Jahns, of No. 132 Leonard street, who left his wife and two children behind him in this City, called to ascertain whether his body had yet been recovered or not. Jahns was a grandnephew of the founder of the Turnverein.

A Deputy Sheriff named E. M. Friend came to inquire as to the fate of Louis Selig, against whom he held an order of arrest dated Sept. 16, 1874, which had never been executed. Mr. Selig was a fancy goods merchant in New-Jersey, and he had, the Deputy Sheriff said, some unsettled business to transact when he left.

Mrs. Nauch called to ascertain whether either of the two men named Baumgarten and Nauch had been saved or not. Both of them were new comers to this country, and had only been here six or eight weeks, but the hard times drove them home and they were working their passage to Germany on the Schiller. They are believed to have been lost.

Mr. Charles W. Walter, who, with his mother-in-law and his two little girls, has been given up as lost by his acquaintances, was a member of the firm of Nichols, Walters & Nichols, No. 1 Moore street. With him have gone all his family—Mrs. Caverly, Miss Caverly, and a colored servant—making in all seven persons, none of whom are named among the saved. Mr. Walter was a widower, and very highly esteemed by his friends and acquaintances.

Capt. D. W. Percival, a son of Nathaniel Percival, of Barnstable, was only thirty-six years old, and went out in the Schiller to take command of the ship Helen, now lying in Hamburg, and belonging to Baker & Morrill, of Boston. Capt. Percival leaves a wife and one child.

Miss Susan Dimock, M. D., of Boylston street, Boston, and Miss Bessie Green, daughter of Col. W. B. Green, of the same city, were well known there and highly respected. Hopes are still entertained of their having survived the terrible disaster, because Miss Dimock was an excellent swimmer.

Ten residents of Troy were on board the Schiller. They were Mrs. Louis Holshauer and child, of No. 152 North Second street; Ferdinand Brumoche, Jr., wife, and brother-in-law, No. 177 Fourth street; and Frederick Kratzenberger, wife, and three children, No. 45 Franklin street. They ranked among the best German citizens of that city.

Mr. and Mrs. Leo Weste and daughter were German residents of Philadelphia of high standing. Mr. Weste is the son of Gen. Von Weste, formerly of the Hanoverian Army. His name appears among the list of the saved. His wife and daughter are reported among the lost.

Miss Caroline M. Crane, of Washington, one of those lost, was a niece of the wife of Senator Edmunds, of Vermont, with whom she passed the Winter in Washington. She was a highly accomplished young lady, and was on her way to Europe to spend two years with the family of Minister Marsh, and study art in Italy.

THE CARGO—LOSSES AND INSURANCES.

The cargo which was on board the Schiller when she was wrecked, the manifest of which has already been published in THE TIMES, was a valuable one, being valued at over $400,000, and weighing more than 2,000 tons. Diligent inquiry among the different consignees, yesterday, developed the fact that most of the consignments were fully insured, principally in foreign insurance companies. The following is a list of the principal shippers, with the value of their consignments and amount of insurance.

E. S. Ballin & Co., bankers, No. 94 Exchange place, six kegs of gold, valued at $300,000: fully insured in London.

Lehman Brothers, Nos. 133 and 135 Pearl street, 800 bales of cotton, valued at $65,000; fully insured in a New-York company.

Walter A. Wood, No. 30 Cortlandt street, thirty-three mowing machines, valued at $36,030; insured for $28,000 in the Switzerland Marine Insurance Company, of Zurich, Switzerland.

F. Alexandre & Sons, agents New-York, Havana, and Mexican Steamship Company, No. 33 Broadway, thirty cases sugar, valued at $15,578; fully insured in Europe.

F. Probst & Co., No. 61 Broad street, 113 packages sundries, mostly hardware, valued at $2,600 in gold; fully insured in Europe.

H. Koop & Co., No. 23 William street, 122 cases seed-leaf tobacco, valued at $3,100; insured for $1,500 in Bremen.

Tiedman & Gafney, No. 18 Beaver street, 200 barrels flour, valued at $1,000; fully insured in Hamburg.

Julius Jungbluth, No. 22 South William street, sixty packages butter, valued at $700; fully insured in Hamburg.

DANGERS OF OCEAN TRAVEL.

NECESSITY OF USING THE LEAD.

To the Editor of the New-York Times:

You conclude an article this morning on the loss of the Schiller in these words: "As for the cause of the calamity, the reports show that no shortening of sail and slacking of steam could avail. The vessel was enveloped in a dense fog, and as the ship was out of her reckoning, the wreck was inevitable." Crossing the ocean would be a perilous undertaking if this conclusion were true. While it is true that the loss of life and property at sea from fire, collision, and foundering are often inevitable, it is also true that the *stranding* of ninety-nine steamships in every one hundred is the result of criminal carelessness.

A sea-working steam-ship, unlike a sailing vessel, can, at all times, go ahead, stop, go back to the right or left, against or with both wind and tide. Generally every approach to land can be ascertained by the lead. This is particularly the case with the English channel, where, for a hundred miles away, the shipmaster can, by the depth of water and *quality of the bottom*, tell his position with sufficient accuracy for all purposes of safety.

The entrance of the English Channel between Ushant and Scilly is about 100 miles wide. Approaching from the westward in thick weather the careful ship-master will find in the centre or "fairway track," from ninety gradually down to sixty fathoms of water, the bottom always fine sand, shells, or sand and gravel. If to the southward, in a line with Ushant, he will have about the same water, but *all fine sand*; while on the north side and in the line of the Scilly rocks he will find the same water, but a bottom of mud, sand and mud, (ooze,) or coarse gravel, the water growing shoal down to forty and thirty fathoms as the shore is approached. So a careful master, if "enveloped in a dense fog," has only to put a coating of tallow on the end of his deep-sea lead, (by which a sample of the bottom is brought up,) and throw it overboard, to learn whether he is in the centre of the Channel, on the north side or the south; and whether well off shore or close in with the rocks.

The trouble is, shipmasters, partly from professional pride, and partly from an unwillingness to lose time, too often neglect the lead, by the use of which the stranding of any steamship on any coast becomes well nigh impossible.

I have no desire to heap reproaches upon the dead, but justice to the living warrants me in saying that had Capt. Thomas made proper use of his lead, the Schiller and 300 precious lives would not have been lost. AN OLD NAVIGATOR.

Monday, May 10, 1875.

COMMISSIONER BLUNT ON THE NAVIGATION OF THE ENGLISH CHANNEL.

Pilot Commissioner Blunt yesterday expressed himself as follows in relation to the recent loss of the steamer Schiller: "Although I am unwilling to say anything in regard to the loss of the Schiller, as the Captain was a man of well-known skill, and proved himself to be a man of bravery, still in the interests of human life I must say a word. It is well understood that the general set of currents across the British and St. George Channels is to the northward, say on an average about twenty-four miles a day, and all men of experience in running for either the British or St. George Channels find themselves to the northward directly. This, no doubt, was the cause of the loss of the Schiller. I do not know what was the last observation taken by the Captain, but a careful navigator should allow ten miles every day of error—that is, making himself ten miles nearer land than his *estimated* reckoning would give him. The channel between the coast of France and the Scilly Isles, the entrance to the British Channel, is eighty miles in width. The soundings, although decreasing gradually, and the charts of the Admiralty and of the Depot de la Marine, although admirable for accuracy, could hardly prevent the disaster. Agreeing with my friend, Prof. Pierce, of the Coast Survey, that a man running in shore on our coast without sounding should be hanged, still I don't think it applies to an abrupt coast like that of England, where within a few miles of the Scilly Isles there are forty fathoms of water. My idea of the cause of the disaster is that the Captain was anxious to make a quick passage, and to that he sacrificed every other consideration. But he died at his post, and a man can do no more.

THE LAST OF A FAMILY DROWNED.

To the Editor of the New-York Times:

Mrs. Ridgeway, one of the passengers on the ill-fated Schiller, was a lady of wealth, culture, and fine abilities, residing at No. 15 East Forty-third street. For some years her home was St. Louis, where she has a large circle of friends. Not long ago, in the short space of ten months, she buried her husband and two lovely and highly accomplished daughters—her only children. Both ladies died in Italy, where they had gone in pursuit of health, and it was to visit the place where she spent with them their last days upon earth that Mrs. Ridgeway took passage for Europe. She was accompanied by her two grand-children, Mr. C. Walter—her son-in-law, and Mrs. and Miss Caverly. These ladies were relatives and intimate friends. Her maid was a faithful and attached colored woman, formerly her slave. The entire family have found a watery grave at the bottom of the ocean.

Mrs. S. T. HYDE, No. 195 Madison avenue.

THE WEATHER.

SYNOPSIS AND PROBABILITIES.

WASHINGTON, May 11, 1875—1 A. M.—The barometer has risen at nearly all stations, except in Kansas and Nebraska, where a new depression is central, with brisk, cold, westerly winds to the westward. The temperature has risen decidedly in Missouri and Iowa, but fallen at most other stations. Northwest winds and clear weather prevail east of the Mississippi Valley; south-east winds with cloudy weather to the westward of the upper lakes, and light rain in the Missouri Valley. The rivers have changed but slightly.

PROBABILITIES.

During Tuesday, throughout the Atlantic States, north-west to south-west winds, stationary or rising barometer and temperature, and generally clear weather.

For the Gulf States, Tennessee, and the Ohio Valley, falling barometer, increasing southerly winds, and clear or partly cloudy weather.

For the Upper Mississippi and the Lower Missouri Valleys, and the upper lakes, falling barometer, north-east to south-east winds, warmer, cloudy, and threatening weather, except possibly colder from Dakota to Lake Superior.

For the lower lake region, north-west winds, stationary or higher pressure, and cooler, clear, followed by cloudy weather.

The rivers will fall slightly, except rising at Vicksburg and Cincinnati.

IN THIS CITY.

The following record shows the changes in the temperature for the past twenty-four hours, in comparison with the corresponding date of last year, as indicated by the thermometer at Hudnut's Pharmacy.

	1874.	1875.		1874.	1875.
3 A. M.	62°	48°	3:30 P. M.	94°	62°
6 A. M.	63°	50°	6 P. M.	88°	63°
9 A. M.	73°	70°	9 P. M.	76°	58°
12 M.	85°	68°	12 P. M.	66°	54°

Average temperature yesterday.....59½°
Average temperature for corresponding date last year.....74°

DESTRUCTIVE TORNADO IN OHIO.

TWO CHILDREN KILLED—HOUSES DESTROYED AND DAMAGED—THE COURSE AND EXTENT OF THE STORM.

TOLEDO, Ohio, May 10.—A tornado passed over the village of Green Springs, Ohio, yesterday afternoon, blowing down three houses, by which three children were killed, and demolishing every chimney in the place. Passing northward, several houses and barns, between Green Springs and Clyde were blown down and trees and fences destroyed. At Clyde, the Nichols House was partially unroofed, and considerable damage done to stores and residences between Clyde and Bellevue. Along the line of the Lake Shore Railroad scarcely a building escaped uninjured. The course of the storm was from south to north, and its track about two miles wide.

A SCHOONER SUNK OFF CHINCOTEAGUE, VIRGINIA.

BALTIMORE, Md., May 10.—On Friday night last a collision occurred off Chincoteague, Accomac County, Va., between the schooners Ellen Tobin, Capt. Barnett, and the P. T. Wines, Capt. Leander Smith, by which the Wines was badly damaged and sunk in a few minutes, her crew barely escaping with their lives on board the Tobin. The Wines was laden with coal, bound from Georgetown, D. C., to Fall River, Mass. The Captain, it is said, had his freight money locked up in the cabin, but was unable to save it, his vessel going down too quickly. She belonged to Port Jefferson, N. Y. The Ellen Tobin was bound to Georgetown, but was so much damaged by the collision that she is making for this port for repairs, and will arrive to-night.

A MASSACHUSETTS LEGISLATOR ARRESTED FOR STEALING.

BOSTON, Mass., May 10.—John Best, of Stoneham, a member of the Massachusetts House of Representatives, Commander of Post 75, G. A. R., Collector of Taxes, and Assessor, was arrested to-day for stealing $1,500 from the safe of Aaron Hill, a prominent merchant. Mr. Hill had missed money for some time, and put an officer in the back room, where, through a hole bored in the wall, he could watch the safe. Mr. Best had been in the habit of visiting the safe in the counting-room, and was detected in the act. He was arrested and put under $4,000 bonds. He is a man of some wealth, and heretofore has stood very high. The affair has caused much sensation in the community.

FORT TICONDEROGA.

*THE CENTENNIAL ANNIVERSAR

plain, like a vast sheet of silver. Both to the scene and the memories it inspired the orators could hardly fail to do justice, and among those who did so was Gen. Cole, of New-York, whose speech, although short, was one of the best of the occasion. The proceedings were somewhat protracted, as the programme was a rather lengthy one, but, before the sun was down behind the mountains which overtop Ticonderoga on the west, the old fort was left to its usual solitude for another hundred years. The Summer visitors may visit it for a year or two more frequently, but this renewed interest must soon die away, and the walls be left again a prey to the quack medicine man, who has already desecrated them with his noxious advertisements. This is the only result of the centennial to be feared. It has in other respects been satisfactory. In dismissing the event to the past it must be added that the citizens of Ticonderoga Village did all in their power to secure the comfort of the visitors. To those who were compelled by their duties to be at the village a day or so prior to the event their hospitality was so unbounded and welcome that it will not soon be forgotten by the recipients.

The following was the order of exercises:

9 to 12 o'clock—Reception of invited guests by Post Alfred Weed.

12:30 o'clock—Refreshments, pic-nic.

1:30 o'clock—Formation of line, Col. Egolf, Marshal.

2 o'clock—Procession moves to fort grounds over the road taken by Ethan Allen May 10, 1775, and is drawn up about the speaker's stand.

PROGRAMME.

Music by consolidated bands.
Prayer—Rev. L. V. Price, of Ticonderoga.
Music.
Address of Welcome by the President of the Day, Col. Wm. E. Calkins.
Oration—Rev. Joseph Cook, of Boston.
Music.
Address—Col. C. H. Joyce.
Music.
Centennial Bell—Prof. Bradford.
Remarks by guests.
Music—"America."

When the procession arrived at the fort, the exercises were held as announced in the programme.

ADDRESS OF COL. COLKINS.

The following oration was delivered by Col. William E. Colkins:

MEMBERS OF THE GRAND ARMY OF THE REPUBLIC, LADIES AND GENTLEMEN: While centennial campfires are burning thick around us, it seems proper that we, too, should catch the inspiration, and gather from valley, hill-side, and mountain glen to celebrate the centennial of an event which stands out in bold relief upon the pages of American history—an event freighted with vast interests to the welfare and progress of mankind, to wit, the capture of Fort Ticonderoga by Ethan Allen and his band of Green Mountain Boys, "in the name of the Great Jehovah and the Continental Congress." Here, on this consecrated ground, was the first harvest of prisoners of the Revolution. Here was the first place where drilled regulars of a foreign foe stacked arms to the yeomanry of America. Here was the first intimation that crowns might crumble and kingdoms pass away. Here the enamel of monarchy and despotism was removed, and men learned to assert and maintain their rights to life, liberty, and the pursuit of happiness.

We are told by the bold and daring commander that the surprise was executed in the gray of the morning of the 10th of May, 1775; that the sun seemed to rise on that morning with a superior lustre. I regret that the same sun which illumined in so marked a manner the morning a hundred years ago is now partially crippled by clouds, yet in behalf of Post Alfred Weed, of this place, Post A. H. Stevenson, of Moriah, and their associates of the Grand Army of the Republic, to whose unflinching energy and perseverance the ceremonies of this day are chiefly due, I tender to one and all a hearty welcome, trusting that all will join heart and hand in the celebration of the day. We cannot be unmindful that the actors of a hundred years ago heed not the drum-beat of today, but we feel assured that their spirits are marching on, and when the marble which marks the resting-place of Ethan Allen and his eighty-three Green Mountain Boys shall have yielded to the crumbling hand of time their memories and example will live, gathering brighter lustre with increasing centuries.

REMARKS OF REV. J. H. COOK.

Rev. Flavius Josephus Cook was the next speaker. He said:

This, fellow-citizens, is soil older to fame than Plymouth Rock. In 1609, eleven years before the Mayflower began her voyage, Samuel Champlain fought a battle with the Iroquois on the shore yonder, not far from the spot where Ethan Allen, one hundred years ago this morning, landed in the gray dawn. We are assembled in a fortress which was one link in a chain of French posts, extending from the mouth of the St. Lawrence to that of the Mississippi, and designed to shut the English up behind the Alleghanies. Over that long path, honored by the anxious thoughts of Chatham and of Colbert, of George IV. and Louis XIV., when, as yet, it had not been decided whether America was to be English or French, by virtue of her discoveries of the waters of the St. Lawrence and the Mississippi France claimed all the territory traversed by waters flowing into those rivers. But by right of her paramount sovereignty over the Iroquois Five Nations, England claimed the territory from the Green Mountains to beyond Niagara. There was an issue between the giant fingers of the glittering hand of France and the sinewy hand of England, on the decision of which, at Quebec, a continent hung at hazard. Over this soil waved the competing flags of these nations. One hundred and sixteen years ago Ticonderoga was French and became English; 100 years ago this morning it was British and became American. We tread in the footsteps of Montcalm, Abercrombie, Howe, Amherst, Allen, and Burgoyne. Ethan Allen was only thirty-eight years old when he captured Ticonderoga. He was only fifty-two years old at his death, in 1789. His life falls naturally into four periods: That before the capture of Ticonderoga, that of the capture itself and his attack on Montreal, that of his long imprisonment by the British, and that of the noble but crippled years remaining to Vermont. It was in the first of these periods that he organized that band of noble American Spartans called the "Green Mountain Boys." The speaker, after reviewing Allen's life at considerable length, concluded by advancing his views as to what is necessary for the national life, which he held to be the diffusion of property, of intelligence, and of labor.

SPEECH OF COL. JOYCE.

Col. W. C. Joyce, of Rutland, then delivered an eloquent address. He dwelt upon the brave deeds of Ethan Allen and his band of followers. He attributed the success of the American people to the seeds sown 100 years ago to-day by our forefathers. He spoke of the shot that was fired at Concord and Lexington on the 19th of April, 1775, and of the sufferings afterward experienced by the brave colonists in their efforts to throw off the yoke of oppression that was fastened upon them by England. He alluded to the war of later years and when the rebellion existed, and was firm in the belief that if the settlement of the late difficulties had been intrusted to the soldiers of both North and South the present unhappy complication of affairs would not exist. He was glad that the American people had awakened, and that the flat had gone forth that would consign corrupt officials to oblivion, and that their places should be filled by honest and incorruptible men. In closing, he said the country was now reaping the benefit of the acts that took place upon this historic ground a hundred years ago, when the brave old hero, Ethan Allen, knocked at the door of this fort and demanded its surrender "in the name of the great Jehovah and the Continental Congress."

OTHER ADDRESSES.

Gen. Cole, of Troy, delivered an impromptu speech, which was replete with historical reminiscences and sketches, as well as eulogistic of the brave men who imperiled their lives for the independence of the colonies. No speech of the day was received with such high appreciation.

Letters were read from Gov. Tilden, of New-York, Governors Peck, Paige, and Stewart, of Vermont, Col. Ethan Allen, of New-York, and others.

THE MECKLENBURG DECLARATION OF INDEPENDENCE.

THE LETTER OF MR. BANCROFT REFERRED TO BY GOV. BROGDEN.

EXECUTIVE DEPARTMENT, STATE OF NORTH CAROLINA. RALEIGH, May 6, 1875.

To the Editor of the New-York Times:

In THE TIMES of the 1st inst. appears an editorial notice of Gov. Brogden's letter concerning the Mecklenburg Declaration of Independence. In said letter Gov. Brogden referred to a letter from Hon. George Bancroft to the late Gov. Swain, of this State, dated at London, July 4, 1848, in which Mr. Bancroft states that he had himself procured from the British State Paper Office a copy of the Mecklenburg resolves. By a typographical error, Mr. Bancroft's letter is made to date from July 4, 1875, instead of July 4, 1848.

As the matter is attracting public attention at this time on account of the centennial celebration at Charlotte on the 20th inst., I inclose you correct copies of the letters of Mr. Bancroft and Gov. Brogden. I am, very respectfully,

J. B. NEATHEY.

MR. BANCROFT'S LETTER.

NO. 90 EATON SQUARE, LONDON, 4th July, 1848.

MY DEAR SIR: I hold it of good augury that your letter of the 12th June reached me by the Herman just in time to be answered this morning. You may be sure that I have spared no pains to discover in the British State Paper Office a copy of the resolves of the Committee of Mecklenburg, and with entire success.

A glance at the map will show you that in those days the traffic of North Carolina took a southerly direction, and people in Charleston, and sometimes in Savannah, knew what was going on in "Charlotte Town" before Gov. Martin.

The first account of "the extraordinary resolves by the people in Charlotte Town, Mecklenburg County," was sent over to England by Sir James Wright, then Governor of Georgia, in a letter of the 20th of June, 1775. The newspaper thus transmitted is still preserved, and is No. 493 of the *South Carolina Gazette and County Journal*, Tuesday, June 13, 1775. I read the resolves, you may be sure, with reverence, and immediately obtained a copy of them, thinking myself the sole discoverer. I do not send you the copy, as it is identically the same with the paper which you inclosed me; but I forward to you a transcript of the entire letter of Sir James Wright. The newspaper seem to have reached him after he had finished his dispatch, for the paragraph relating to it is added in his own handwriting, the former part of the letter being written by a Secretary or Clerk. I have read a great many papers relating to the Regulators, and am having copies made of a large number. Your own State ought to have them all, and the expense would be for the State insignificant, if it does not send an agent on purpose. A few hundred dollars would copy all you need from the State Paper office on all North Carolina topics.

I shall always be glad to hear from you, and to be of use to you or your State. Very truly yours,

GEORGE BANCROFT.

To Hon. D. L. SWAIN.

THE BRAVE EXPRESS MESSENGER.

HE DEFENDS THE TREASURE INTRUSTED TO HIM, AND KILLS THE THIEF WHO ENTERED HIS CAR AND ATTEMPTED TO ROB HIM.

From the Pittsburg (Penn.) Telegraph, May 7.

A daring encounter occurred between a would-be robber and the express messenger, about 3 o'clock this morning, on Express Train No. 6, on the Pittsburg, Fort Wayne and Chicago Railroad, while on its way to Pittsburg, and the robber was instantly killed. The train was a short distance west of Lafayette, Ind., and was running at the usual rate of speed. The messenger, Mr. Price, sat in his department guarding the express matter he had on board, which was very valuable. He was alone. All the passengers on the train were supposed to be slumbering, and there was naught to disturb his quiet but the "clickety click, clickety click" of the rapidly-revolving car-wheels. Suddenly the messenger was aroused from his reverie by the appearance in the car of a masked man, a powerfully-built and muscular fellow. The doors of the car had been thoroughly bolted, and how he had succeeded in effecting an entrance was a mystery to Mr. Price. The latter jumped to his feet hastily, realizing at once that an attempt at attack being lonely and desolate; the hour of assault—when they expected to find the messenger dozing, and the presence of a strong rope in the hands of the robber, with which to tie the messenger—all combine further to prove that the robbery was deliberately planned, and would have been executed but for the uncertainty of the aim of the robber, and the trueness of the shot of the messenger.

Mr. Price brought the body of the dead robber in his car as far as Crestline, Ohio, where it was removed to the station and the Coroner notified. Mr. Price then passed onward toward Pittsburg, his run being from Chicago to Pittsburg, but at Mansfield was recalled by the Coroner.

Mr. Price states as his opinion that the dead robber had two companions, passengers on the train, and his idea is that they were not to appear until Binkley succeeded in getting him bound at the door. They fancied they were to rush into the car, and the work of robbery could be completed in a few moments. Price thinks all three of the men got on at Lima, and the two who are suspected as the companions of the dead man left the train soon after the tragical occurrence, at a place called Forest, just this side of Lafayette, Ind.

Mr. Price is a married man and resides at Louisville, Ky. He is represented as a very brave man, very cool and calculating, and his conduct on the train this morning would indicate that he has mettle in him, and the judgment to act prudently, even under the most trying circumstances. We are indebted to Mr. Snively, agent of the Adams Express Company, this city, and Mr. J. McLean, the messenger who took Mr. Price's place at Crestline, for the facts of the affair.

BELGIAN NEWSPAPER ADVERTISEMENTS.

The *Pall Mall Gazette* of April 22 has the following: "A young lady, of ripe age (*une demoiselle, dge mur.*) of good family, carefully educated, wishes to marry an honorable gentleman from forty-five to fifty years old, possessed of fortune or position. In exchange, he will receive affectionate care. Write to Poste Restante, Brussels, initials N. O." So runs an advertisement in a recent number of the *Etoile Belge*, which may at least be commended for candor and simplicity. There is, indeed, a wonderful naiveté in Belgian announcements of this nature, which, by the way, are a regular feature in the journalism of that little kingdom. Here is another from the same paper: "A free-thinker, twenty-seven years of age, a widower, with a child four years old, of independent position, brilliantly educated, and brought up, (*instruction et éducation brillantes,*) desires to wed a young widow or unmarried lady of some slight fortune, sharing his philosophic convictions, and finding herself in the same condition. Absolute discretion will be observed, on the word of honor of the advertiser. Write to C. F.," &c. The same touching confidence in the guilelessness of human nature is exhibited in the notice to be found in another column that "A fortune may be made in three months. Required, for an operation at Monaco, which is assured of success, the sum of 120,000 francs. Monthly profit, 300,000 francs. Capital guaranteed. Write to M.," &c. Such a bait is not often met with. For the rest, Belgian and English advertisements have much in common. "Pilules Holloway" occupy an honorable position in the pages of the *Indépendance*, and their promise is not less magnificent than in the land of their birth. Of course, they are met with formidable rivals in the shape of native productions of a similarly hygienic character.

TERMINAL CHARGES.

To the Editor of the New-York Times:

A matter of great importance to the interests of the trade and commerce of the City and State of New-York, viz., the proposed reduction of canal tolls, is now pending before the Legislature, and it is very essential that the Legislature and the public should be informed of the true state of facts, and of the necessity of favorable action to prevent further diversion of the products of the West.

Previous to 1856 our State had almost the entire carrying trade between the Western and Northwestern States and the seaboard, our City being the distributing point to the neighboring seaboard cities. That you may see the competition for this trade which has been going on since that date, we give you the following facts from Controller Hopkins' report presented to the Legislature in January, 1874:

The aggregate deliveries of flour and grain at Montreal for the four years, from 1857 to 1860, inclusive, were 20,734,602 bushels, and for the four years from 1870 to 1873, inclusive, 65,727,541 bushels, showing an increase of 44,992,930 bushels, equal to 217 per cent.

The aggregate deliveries of flour and grain at Philadelphia for the four years from 1865 to 1868, inclusive, were 39,595,836 bushels, and for the four years from 1869 to 1872, inclusive, were 78,954,000 bushels, showing an increase of 38,358,164 bushels, equal to about 100 per cent. The gain in 1873 has been in an augmented ratio, exceeding that of any previous year.

The shipments of flour and grain from Buffalo and Suspension Bridge by the New-York Central Railroad during the year 1872 were equal to 37,278,166 bushels, of which New-York City received 9,357,332 bushels; Albany, Troy, and Schenectady, 2,424,853 bushels; New England States, 25,495,981 bushels.

The receipts of grain and flour at Ogdensburg during 1873 were 3,248,539 bushels, mostly destined for New-England, making an aggregate annual movement via Ogdensburg, and over the New-York Central Railroad to the New-England States, of nearly 30,000,000 bushels.

The receipts of flour and grain during the year 1874 at the following ports were:

	Bushels.
Portland	4,943,948
Boston	17,389,260
Ogdensburg	4,300,469
Baltimore	24,344,635
Philadelphia	24,623,571
Montreal	16,475,131
Total	91,919,214

This statement of facts to an intelligent mind shows the necessity of some action on the part of the State and the citizens to prevent this diversion which has now assumed such alarming proportions. Prior to 1870 the State of New-York imposed tolls upon the products of the Western States passing through its canals of six cents per bushel on wheat, but when it was brought to the notice of the Canal Board by the New-York Produce Exchange that such a tax had stimulated the diversion of trade from our State to rival cities, and that it must be reduced or we should lose the trade, they adopted the wise policy of reducing the tolls at that time fifty per cent.

But this reduction has not prevented the entire diversion, for a tax of three cents per bushel on wheat still operates to that extent in drawing the trade to other points. During the past year our canals carried less than 40,000,000 bushels of grain, while in 1871 they carried 55,000,000 bushels, a reduction of 15,000,000 bushels.

The railroads brought to New-York in 1871, 34,000,000 bushels, and in 1874, 57,000,000, an increase of 23,000,000 bushels.

The effect of this large loss of business to those engaged in canal transportation has been disastrous, and their interests need and demand protection from the State, that they may regain the business and be enabled to meet their expenses.

In view of the foregoing facts, the Canal Board has recently recommended to the Legislature that the tolls on grain should be reduced thirty-three and a third per cent. Also that the tolls on up merchandise should be reduced fifty per cent. and tolls on lumber twenty-five per cent.

The Assembly, with but twenty-seven dissenting votes, has adopted the recommendations of the Canal Board, and the matter of concurrence is to be decided in the Senate on Tuesday next.

The recommendation is in danger of being defeated there by the recent report of the Senate Committee, as published in your paper of the 6th inst., on the cost of handling grain in this City, which is erroneously stated to be about 4.80 cents per bushel. The committee have made up these charges on the supposition that all grain arriving here is placed in store, and subjected to storage charges of three-quarters of a cent, and then when sold subject to a charge of lighterage again at a cost of one and one-half cents per bushel. The fact is that not ten per cent. of our receipts of grain go to store at all, and fully fifty per cent. of such as does go to store is delivered direct to ocean vessels, and is not subject to any charge for lighterage.

The charges on grain arriving here, including the cost of unloading into store and loading ship, is as follows: Elevating, three-quarters cent; weighing, three-quarters cent; loading ocean vessel, three-quarters cent; total, two and one-quarter cents; or, if grain is cleaned, an additional charge of one-quarter cent per bushel. If grain is sold to home buyers, the charge for loading ship, three-quarters cent per bushel is saved, making the cost only one and one-half cent per bushel.

Knowing that you are alive always to matters that affect the commercial interests of our State and City, we have taken the liberty of placing before you the foregoing facts for the information of the public and your consideration.

AN IMITATIVE CELESTIAL.

The San Francisco *Bulletin* says that a family in the southern part of that city recently engaged the services of a Celestial domestic, whose intelligence and industry were highly recommended. He was a reformed heathen. He was a sleek fellow, forty years of age, and when he smiled, which he always did on the slightest provocation, his face was the personification of innocence. Such was the cheerfulness of his disposition that he was deemed a valuable acquisition to the household. He was gentle with the children, and partook of their childish glee over innocent sports. He was kind to the kitten and other family pets. The Chinese have justly earned a wide notoriety for cruelty. But this Chinaman was a notable exception. Why, he not only rebuked the big boy of the family when he detected him in the act of dropping a flue stream of boiling water on a rat which had been caught in the family trap, but he actually released the rat and was nearly overcome with emotion. Last Saturday the lady of the house decided that the matting on the floor of the spacious kitchen needed renewing. The old matting, having been patched, was a sorry sight; in fact it appeared to be made up of a dozen irregular pieces. The bright new matting was sent home, and John was requested to proceed to substitute it for the frayed and patched stuff. The family accepted an invitation to visit the interior, and left John a clear field for his operations. They returned to find that the new matting had been laid with methodical precision. There was the new matting to show for itself. But what a show! John had cut it into irregular pieces, patched it, and frayed the edges, until it was a counterpart of the old matting in everything but age.

CANADIAN FISHERIES.

The Toronto *Globe* summarizes the Canadian report on Marine and Fisheries for 1874, and says: "The money value of the fisheries in 1873 amounted to $10,754,998, while in 1874 it was $11,681,285, an increase of nearly $1,000,000. These figures refer only to fish produced for exportation, and it is calculated that ten per cent. should be added for domestic supply. The produce of British Columbia, Manitoba, and the North-west Territories, is not accounted for in these returns. The total value of the Nova Scotia fisheries for 1874, was $6,652,301 59, while the quantities represented by this sum are very large. For instance, of lobsters alone there were 5,612,345 cans, and of cod-fish 540,046 hundredweight. New-Brunswick fisheries yielded $2,685,793 91. And here again lobsters figured to the extent of 2,189,504 cans, and preserved salmon 1,402,640 cans. Quebec fisheries yielded $1,606,620 20, of which cod-fish was the heaviest item. Ontario fisheries yielded a comparatively small sum—only $446,267 50, of which white-fish and trout were the most important. Prince Edward's Island returns show $288,863. There are five fish-hatching establishments in successful operation throughout the Dominion, and it is proposed to build several additional ones.

ARRIVALS AT THE HOTELS.

Right Rev. William H. Hare, Bishop of Niobrara, is at the New-York Hotel.

Lieut. R. Dennis, of the Twentieth Regiment, British Army, is at the the Grand Central Hotel.

Edward P. Smith, Commissioner of Indian Affairs, is at the Metropolitan Hotel.

Chaplain R. Croker, of the British Navy, and Col. H. S. McComb, of Delaware, are at the Brevoort House.

Congressman John O. Whitehouse, of Poughkeepsie, and Gen. Maxwell Woodhull, of Washington, are at the Albemarle Hotel.

Hon. James G. Blaine, of Maine; ex-Congressman James M. Marvin of Saratoga, and John Knapp, of St. Louis, are at the Fifth Avenue Hotel.

GEN. SHERMAN'S MEMOIRS.

RECOLLECTIONS OF AN INTENSELY ACTIVE MAN AND A GREAT GENERAL.

INCIDENTS OF THE WAR—THE OPENING DAYS OF SECESSION IN LOUISIANA—JEALOUSY OF BRAGG AND BEAUREGARD—BACK IN THE ARMY—BULL RUN AND AFTER—LINCOLN'S MANNER WITH THE SOLDIERS—THE GEORGIA CAMPAIGN—DALTON AND RESACA—WHY JOHNSTON DECLINED TO FIGHT AT CASSVILLE.

In giving his memoirs to the public, Gen. Sherman has made not only a valuable contribution to the history of the country during two important wars, but he has furnished a work of intense interest to the ordinary reader. The characteristics that came so prominently forward in the war—energy and electric quickness—are strongly infused into the memoirs, and it is impossible not to realize that the writer has thus far led one of the most active lives in biographic annals. We are favored with advance sheets of the work, from which we propose to lay before our readers copious extracts:

THE EARLY DAYS OF SECESSION.

About the beginning of the secession movement Gen. Sherman was Superintendent and also a Professor of Engineering in the Louisiana Military Academy at Alexandria, La. His brother, John Sherman, was candidate for Speaker of the House of Representatives, against Bocock, of Virginia. The discussions of that period show the divided sentiment of the people. He narrates the following incident:

One evening, at a large dinner party at Gov. Moore's, at which were present several members of the Louisiana Legislature, Taylor, Bragg, and the Attorney General Hyams, after the ladies had left the table, I noticed at Gov. Moore's end quite a lively discussion going on, in which my name was frequently used. At length the Governor called to me, saying: "Col. Sherman, you can readily understand that, with your brother the abolitionist candidate for Speaker, some of our people wonder that you should be here at the head of an important State institution. Now, you are at my table, and I assure you of my confidence. Won't you speak your mind freely on the question of slavery, that we may all understand it? You are under my roof, and, whatever you say, you have my protection." I answered: "Gov. Moore, you mistake in calling my brother, John Sherman, an abolitionist. We have been separated since childhood—I in the army, and he pursuing his profession of law in Northern Ohio; and it is possible we may differ in general sentiment, but I deny that he is considered at home an abolitionist; and, although he prefers the free institutions under which he lives to those of slavery which prevail here, he would not of himself take from you by law or force any property whatever, even slaves." Then said Moore: "Give us your own views of slavery as you see it here and throughout the South." I answered in effect that "the people of Louisiana were hardly responsible for slavery, as they had inherited it; that I found two distinct conditions of slavery, domestic and field hands. The domestic slaves, employed by the families, were probably better treated than any slaves on earth; but the condition of the field hands was different, depending more on the temper and disposition of their masters and overseers than were those employed about the house;" and I went on to say that, were I a citizen of Louisiana, and a member of the Legislature, I would deem it wise to bring the legal condition of the slaves more near the status of human beings under all Christian and civilized governments. In the first place, I argued that, in sales of slaves made by the State, I would forbid the separation of families, letting the father, mother, and children be sold together to one person, instead of each to the highest bidder. And again, I would advise the repeal of the statute which enacted a severe penalty for even the owner to teach his slave to read and write, because that actually qualified property and took away a part of its value; illustrating the assertion by the case of Henry Sampson, who had been the slave of Col. Chambers, of Rapides Parish, who had gone to California as the servant and officer of the Army, and who was afterward employed by me in the bank at San Francisco. At first he could not write or read, and I could only afford to pay him $100 a month; but he was taught to read and write by Reilley, our bank-teller, when his services became worth $250 a month, which enabled him to buy his own freedom and that of his brother and his family." What I said was listened to by all with the most profound attention; and, when I was through, some one (I think it was Mr. Hyams) struck the table with his fist, making the glasses jingle, and said, "By —— he is right!" and at once he took up the debate, which went on, for an hour or more, on both sides with ability and fairness.

BRAGG AND BEAUREGARD.

Having severed his connection with the Military Academy and gone to New-Orleans to settle finally the financial matters connected with his administration, and, as he says, "stood free and discharged of any and every obligation, honorary or business, that was due by me to the State of Louisiana or to any corporation or individual in that State," he describes affairs in that city.

This business occupied two or three days, during which I stayed at the St. Louis Hotel. I usually sat at table with Col. and Mrs. Bragg, and an officer who wore the uniform of the State of Louisiana, and was addressed as Captain. Bragg wore a Colonel's uniform, and explained to me that he was a Colonel in the State service, a Colonel of artillery, and that some companies of his regiment garrisoned Forts Jackson and St. Philip, and the arsenal at Baton Rouge. Beauregard at the time had two sons at the Seminary of Learning. I had given them some of my personal care at the father's request, and, wanting to tell him of their condition and progress, I went to hisville. Seated at the table in the Custom-house Building, and found him in the act of starting for Montgomery, Ala. Bragg said afterward that Beauregard had been sent for by Jefferson Davis, and that it was rumored that he had been made a Brigadier General, of which fact he seemed jealous, because in the old army Bragg was the senior. Davis and Stephens had been inaugurated President and Vice President of the Confederate States of America Feb. 16 last, at Montgomery, and those States only embraced the seven cotton States. I recall a conversation at the ten-table, one evening, at the St. Louis Hotel. When Bragg was speaking of Beauregard's promotion, Mrs. Bragg, turning to me, said, "You know that my husband is not a favorite with the new President." My mind was resting on Mr. Lincoln as the new President, and I said I did not know that Bragg had ever met Mr. Lincoln, when Mrs. Bragg said, quite pointedly, "I didn't mean your President, but our President." I knew that Bragg hated Davis bitterly, and that he had resigned from the Army in 1855 or 1856, because Davis, as Secretary of War, had ordered him, with his battery, from Jefferson Barracks, Missouri, to Fort Smith or Fort Washita, in the Indian country, as Bragg expressed it, "to chase Indians with six pounders."

"SECESSION A SUCCESS"—NO WAR!

I visited the Quartermaster, Col. A. C. Myers, who had resigned from the Army, Jan. 28, 1861, and had accepted service under the new *regime*. His office was in the same old room in the Lafayette square Building, which he had in 1853, when I was there a commissary, with the same pictures on the wall, and the letters "U. S." on everything, including his desk, papers, &c. I asked him if he did not feel tough. "No, not at all. The thing was inevitable, secession was a complete success; there would be no war, but the two Governments would settle all matters of business in a friendly spirit, and each would go on in its allotted sphere, without further confusion." About this date, Feb. 16, Gen. Twiggs, Major father-in-law, had surrendered his entire command, in the department of Texas, to some State troops, with all the Government property, thus consummating the first serious step in the drama of the conspiracy, which was to form a confederacy of the cotton States, before working upon the other slave or border States, and before the 4th of March, the day for the inauguration of President Lincoln. We passed the streets of New-Orleans, and found business going along as usual. Ships were strung for miles along the lower levee, and steam-boats above, all discharging or receiving cargo. The Pelican flag of Louisiana was flying over the Custom-house, Mint, City Hall, and everywhere. At the levee ships carried every flag on earth except that of the United States, and I was told that during a procession on the 22d of February, celebrating their emancipation from the despotism of the United States Government, only one National flag was shown from a house, and that the house of Cuthbert Bullitt, on Lafayette square. He was commanded to take it down, but he refused, and defended it with his pistol. The only officer of the army that I can recal, as being there at the time, who was faithful, was Col. C. L. Kilburn, of the Commissary Department, and he was preparing to escape North. Everybody regarded the change of Government as final; that Louisiana, by a mere declaration, was a free and independent State, and could enter into any new alliance or combination she chose.

AN INTERVIEW WITH LINCOLN.

The scene changes to Washington, whither Gen. Sherman had gone very much impressed with the state of affairs in the South. He tells the following story:

One day John Sherman took me with him to see Mr. Lincoln. He walked into the room where the Secretary to the President now sits; we found the room full of people, and Mr. Lincoln sat at the end of the table, talking with three or four gentlemen, who soon left. John walked up, shook hands, and took a chair near him, holding in his hand some papers referring to minor appointments in the State of Ohio, which formed the subject of conversation. Mr. Lincoln took the papers, said he would refer them to the proper heads of departments, and would be glad to make the appointments asked for, if not already promised. John then turned to me and said, "Mr. President, this is my brother," Col. Sherman, who is just up from Louisiana, he may give you some information you want." "Ah!" said Mr. Lincoln, "how are they getting along down there?" I said, "They think they are getting along swimmingly—they are preparing for war." "Oh, well!" said he, "I guess we'll manage to keep house." I was silenced, said no more to him, and we soon left. I was sadly disappointed, and remember that I broke out on John, —— the politicians generally, saying, "You have got things in a —— of a fix, and you may get them out as you best can," adding that the country was sleeping on a volcano that might burst forth at any minute, but that I was going to St. Louis to take care of my family, and would have no more to do with it. John begged me to be more patient, but I said I would not; that I had no time to wait, that I was off for St. Louis; and off I went. At Lancaster I found letters from Major Turner, inviting me to St. Louis, as the place in the Fifth Street Railroad was a sure thing, and that Mr. Lucas would rent me a good house on Locust street, suitable to my family, for $600 a year.

THE BATTLE OF BULL RUN.

He was afterward offered the Chief Clerkship in the War Department, with a fair prospect of becoming Assistant Secretary of War, but he declined it in a letter taking a rather gloomy view of the situation. Finding his best friends uneasy as to his political status, he offered his services to the Secretary of War, and he was appointed Colonel of a new regiment of infantry of the regular Army but still unorganized. He reported in person to Gen. Scott, and was kept by him for inspection duty till shortly before the battle of Bull Run, when he was ordered to the command of a brigade that took part in the battle of Bull Run. In commenting on this affair, Gen. Sherman calls it "one of the best planned battles of the war, but one of the worst fought." After inserting his official report of it, Gen. Sherman continues:

This report, which I had not read probably since its date till now, recalls to me vividly the whole scene of the affair at Blackburn's Ford, when for the first time in my life I saw cannon-balls strike men and crash through the trees and saplings above and around us, and realized the always sickening confusion as one approaches a fight from the rear; then the night march from Centreville, on the Warrenton road, standing for hours wondering what was meant; the deployment along the edge of the field that sloped down to Bull Run, and waiting for Hunter's approach on the other side from the direction of Sudley Springs, away off to our right; the terrible scare of a poor negro who was caught between our lines; the crossing of Bull Run, and the fear lest we should be fired on by our own men; the killing of Lieut. Col. Haggerty, which occurred in plain sight; and the first scenes of a field strewed with dead men and horses. Yet, at that period of the battle, we were the victors and felt jubilant. At that moment, also, my brigade passed Hunter's division just then coming on the turn. For two hours we continued to dash at the woods on our left front, which were full of rebels; but I was convinced their organization was broken, and that they had simply halted there and taken advantage of these woods as a cover, to reach which we had to pass over the intervening fields about the Henry House, which were clear, open, and gave them a decided advantage. After I had put in each of my regiments, and had them driven back to the cover of the road, I had no idea that we were beaten, but reformed the regiments in line in their proper order, and only wanted a little rest, when I found that my brigade was almost alone, except Sykes's regulars, who had formed square against cavalry and were coming back. I then realized that the whole army was "in retreat," and that my own men were individually making back for the stone bridge. Corcoran and I formed the brigade into an irregular square, but it fell to pieces; and along with a crowd, disorganized, not much cheered, the brigade got back to Centreville to our former camps. Corcoran was captured, and held a prisoner for some time, but I got safe to Centreville. I saw Gen. McDowell in Centreville, and understood that several of his Colonels had been encouraging at Camp, and there await the enemy. I got my four regiments in parallel lines in a field, the same in which we had camped before the battle, and had lain down to sleep under a tree, when I heard some one asking for me. I called out where I was, when Gen. Tyler in person came me orders to march back to our camps at Fort Corcoran. I aroused my aides, gave them orders to call up the sleeping men, have each regiment to leave the field by a flank, and to take the same road back by which we had come. It was near midnight, and the road was full of troops, wagons, and batteries. We tried to keep our regiments separate, but all became inextricably mixed. Toward morning I reached Vienna, where I slept some hours, and the next day, about noon, we reached Fort Corcoran.

AN INCIDENT.

The Sixty-ninth still occupied Fort Corcoran, and one morning, after reveille, when I had just received the report, and dismissed the regiment, and was leaving, I found myself in a crowd of men crossing the drawbridge on their way to a barn close by, where they had their sinks; among them was an officer, who said: "Colonel, I am going to New-York to-day. What can I do for you?" I answered: "How can you go to New-York? I do not remember to have signed a leave for you." He said, "No, he did not want a leave. He had engaged to serve three months, and had already served more than that time. It the Government did not intend to pay him, he could afford to lose the money; that he was a lawyer, and had neglected his business long enough, and was then going home." I noticed that a good many of the soldiers had paused about us to listen, and knew that, if this officer could defy me, they also would. So I turned on him sharp, and said, "Captain, in the question of the term of service has been submitted to the rightful authority, and the decision has been published in orders. You are a soldier, and must submit to orders till you are properly discharged. If you attempt to leave without orders, it will be mutiny, and I will shoot you like a dog! Go back into the fort now, instantly, and don't dare to leave without my consent." I had on an overcoat, and may have had my hand about the breast, for he looked at me hard, paused a moment, and then turned back into the fort. The men scattered, and I returned to the house where I was quartered, close by.

LINCOLN AMONG THE SOLDIERS.

The same day I was near the river-bank, looking at a block-house which had been built for the defense of the aqueduct, when I saw a carriage coming up the road that crosses the Potomac at Georgetown by a ferry. I thought I recognized in the carriage the person of President Lincoln. I hurried across a bend, so as to stand by the road-side as the carriage passed. I was in uniform, with a sword on, and was recognized by Mr. Lincoln and Mr. Seward, who rode side by side in an open hack. I inquired if they were going to the camps, and Mr. Lincoln said: "Yes; we heard that you had got over the big scare, and we thought we would come over and see the 'boys.'" The roads had been much changed and were rough. I asked if I might give directions to his coachman; he promptly invited me to jump in and to tell the coachman which way to drive. Intending to begin on the right, and follow round to the left, I turned the driver into a side road which led up a very steep hill, and, seeing a soldier, called to him and sent him up hurriedly to announce to the Colonel, (Bennett, I think,) that the President was coming. As we slowly ascended the hill, I discovered that Mr. Lincoln was full of feeling, and wanted to encourage our men. I asked if he intended to speak to them, and he said he would like to. I asked him then to please discourage all cheering, noise, or any sort of confusion; that we had had enough of it before Bull Run to ruin any set of men, and that what we needed were cool, thoughtful, hard-fighting soldiers—no more hurrahing. He promised me that his remarks in the most perfect good nature. Before we had reached the first camp I heard the drum beating the "assembly," saw the men running for their tents, and in a few minutes the regiment was in line, arms presented, and then brought to an order and "parade rest!" Mr. Lincoln stood up in the carriage and made one of the most brief and most feeling addresses I ever listened to, referring to our late disaster at Bull Run, the high duties that still devolved on us, and the brighter days yet to come. At one or two points the soldiers began to cheer, but he promptly checked them, saying: "Don't cheer, boys. I confess I rather like to hear it myself, but Col. Sherman says it is not military, and I guess we had better defer to his opinion." In winding up he explained that, as President, he was Commander in Chief; that he was resolved that the soldiers should have everything that the law allowed; and he called on one and all to appeal to him personally in case they were wronged. The effect of this speech was great. We passed along in the same manner to all the camps of my brigade, and Mr. Lincoln complimented me highly for the order, cleanliness, and discipline that he observed. Indeed, he and Mr. Seward both assured me that it was the first bright moment they had experienced since the battle. At last we reached Fort Corcoran. The carriage could not enter, so I ordered the regiment, without arms, to come outside, and gather about Mr. Lincoln, who would speak to them. He made to them the same feeling address, with more personal allusions, because of their special gallantry in the battle under Corcoran, who was still a prisoner in the hands of the enemy; and he concluded with the same general offer of redress in case of grievance. In the crowd I saw the officer with whom I had had the passage at reveille that morning. His face was pale, and lips compressed. I foresaw a scene, but sat on the front seat of the carriage as quiet as a lamb. This officer forced his way through the crowd to the carriage, and said: "Mr. President, I have a cause of grievance. This morning I went to speak to Col. Sherman, and he threatened to shoot me." Mr. Lincoln, who was still standing, said, "Threatened to shoot you?" "Yes, Sir, he threatened to shoot me." Mr. Lincoln looked at him, then at me, and stooping his tall, spare form toward the officer, said to him in a loud stage whisper, easily heard for some yards around: "Well, if I were you, and he threatened to shoot, I would not trust him, for I believe he would do it." The officer turned about and disappeared, and the men laughed at him. Soon the carriage drove on, and, as we descended the hill, I explained the facts to the President, who answered, "Of course I didn't know anything about it, but I thought you knew your own business best." I thanked him for his confidence, and assured him that what he had done would go far to enable me to maintain good discipline, and it did.

WHAT THE REGULAR OFFICERS THOUGHT OF THEIR OWN CONDUCT.

Gen. McClellan had been summoned from the West to Washington, and changes in the subordinate commands were announced almost daily. I remember as a group of officers were talking in the large room of the Arlington House, used as the Adjutant General

MR. BEECHER ON TRIAL.

THE REBUTTAL EVIDENCE CONTINUED.

MR. GEORGE A. BELL ADVISED MR. BEECHER TO COUNSEL MRS. TILTON'S PERMANENT SEPARATION FROM HER HUSBAND—MR. LEWIS JANES SAW DEFENDANT GOING TOWARD MOULTON'S HOUSE ON JUNE 2, 1873—A BATTLE OF THE LAWYERS OVER JEREMIAH P. ROBINSON'S TESTIMONY—MRS. MOULTON TOLD HIM AT THE TIME ABOUT HER FAMOUS INTERVIEW WITH DEFENDANT ON JUNE 2, 1873—GEN. PRYOR THRICE ATTACKED WITH VERTIGO WHILE SPEAKING—EXCLUSION OF THE EVIDENCE—SIGNIFICANT REMARKS OF JUDGE NEILSON.

Yesterday's proceedings were unusually exciting. It was oppressively close in the court-room. The rush for admittance was fully as great as on any previous occasion. The corridors were blocked by ticket-holders for whom no room could possibly be found inside. The ante-room was packed with spectators. Among the audience were an unusual number of fashionably-dressed ladies. Mrs. Gen. Robinson was present again, and near her sat Mrs. Mark M. Pomeroy, Mrs. Judge Benedict, her son, and her daughter, and son-in-law. Col. and Mrs. Harry Beecher were early in the the Beecher family row. Mr. and Mrs. Beecher entered, accompanied by two ladies in black, a few minutes past eleven. Gen. Tracy also had another unknown lady with him. Judge Neilson was five minutes ahead of time. He gave a seat on the bench to Hon. D. P. Templeton, of Western New-York. Lawyer Cowley, of Lowell, sat in the Plymouth circle. Rev. Edward Beecher occupied his old place behind the jury box. Counsel dropped in after the Judge, ex-Judge Porter being the only exception. Frank Moulton was with his wife and Mrs. Eddy in the ante-room. Kate MacDonald, Mr. Tilton's old housekeeper, sat beside her employer. The jurors were prompt, and the roll was called at 11:05.

George A. Bell, the Superintendent of the Plymouth Bethel Sunday-school, was recalled by Mr. Morris. He is a prim man, with sharp, prominent features, and small, tufty, gray whiskers. Mr. Fullerton examined him. He described a conversation between himself and Mr. Beecher, which was had in the latter's house in December, 1870, in regard to Mr. Tilton's domestic difficulties. He went there at Mr. Beecher's request. Mr. Beecher stated that he had been sent for by Mrs. Tilton for advice in regard to her domestic affairs; that she had left her house and was then at Mrs. Morse's; that she was in great trouble or anxiety; that the conduct of her husband was very cruel and everything except what a decent man ought to be toward a woman. Mr. Beecher also said that Mr. Tilton's licentiousness was very low; that he had been called upon by a young girl—an inmate of Mr. Tilton's household—and she had related to him instances of Mr. Tilton's conduct which were exceedingly licentious. He said that at last Mrs. Tilton had been forced to fly her home, and that she had sent for him to advise with her as to what course it would be best for her to pursue; that he had consulted with Mrs. Beecher, and they had both thought it better to mention the facts to some member of the church so that the whole church would not be in ignorance of it. And, said the witness, "Mr. Beecher said he had called me in not so much for advice as to inform me of the facts that were occurring and of the advice that it was proposed to give. He said he proposed to hand the matter over to Mrs. Beecher; that it was a matter that a lady could manage better than a gentleman, and that Mrs. Beecher was to see Mrs. Tilton next day. I asked him what advice she would give. Here the suggestion of a permanent separation came up. Mr. Beecher asked me what I thought of it. I answered that of course nothing else was possible; that I did not think she should live another day with him on such a statement of facts. Mr. Beecher asked me whether I would advise the calling in of the ladies of the church, or if it would not be better to hand the matter over to the ladies of the church. I don't recollect whether deaconesses were mentioned or whether they existed at the time. I said unquestionably not; that it was a matter of great delicacy, and one that could be far better managed by the few than the many. I resisted its being placed before the ladies of the church, even unofficially, and said that I was certain that it was better that it should remain in his hands and Mrs. Beecher's. I had another interview on the same subject next day." Witness' son, being an autograph hunter, had kept Mr. Beecher's note asking for the first interview. It would probably give the date. Witness was going out of town at 3 o'clock, but promised to sent the note to court in the afternoon, counsel for the defense consenting. There was no cross-examination. Mr. Beecher swore that Mr. Bell advised him not to counsel a permanent separation.

The next witness called was Lewis G. Janes, Superintendent of the Butler Health Lift, with offices at No. 158 Remsen street, Brooklyn, and the Park Bank, New-York. Mr. Janes is a tall, slight-built, smiling young man of correct English, good intelligence, and excellent memory. He resides at No. 440 Carlton avenue, and has been married six years. Mr. Morris examined him. Witness has known Mr. Beecher by sight since the Spring of 1871. He was a customer of witness from the latter part of March, 1871, to the Fall of that year. The anniversary of witness' marriage is June 2. On June 2, 1873, witness had a place of business in New-York at the same place as now. For several days, including that one, he was called over there early in the morning, his usual habit being to stop first at the Brooklyn office. He saw Mr. Beecher on June 2, 1873, as the latter was stepping on the bridge at Montague Terrace, leading to Wall street ferry. He was going toward Remsen street and turned into Remsen toward Court street, which is in the direction of Mr. Moulton's residence. This was shortly before 9 o'clock. When witness started out of his house he was animated by very pleasant feelings. He always makes a half holiday of June 2. On seeing Mr. Beecher he recognized him at once, and, "perhaps egotistically," thought the recognition would be mutual, but on nearing Mr. Beecher he saw that the latter's head was cast down and that he appeared to be in trouble, which produced a strong reaction in witness' feelings, and impressed the meeting strongly upon his mind. The cross-examination elicited no new facts.

Jeremiah P. Robinson, of Woodruff, Robinson & Co., was then called and sworn. He is a large, benevolent-looking gentleman, with white hair and side whiskers. Mr. Fullerton examined him. He testified that Emma P. Moulton was his niece. He had a good many conversations with her about Mr. Beecher. Mr. Evarts objected to the details of any conversation between witness and Mrs. Moulton. Mr. Beach said that was a question which would be argued at the proper time. Mr. Fullerton said the argument might as well come then as at any other time. Mr. Evarts said he could not see how Mr. Beecher could be in any way affected. Mr. Fullerton said that they would show that he could. They proposed to prove that on June 2, 1873, Mrs. Moulton narrated to her uncle the scene of that day as she related it on the witness stand. Mr. Evarts said he could see no use in arguing the question. Gen. Pryor sprang to his feet, and in an impassioned speech claimed that counsel had a right to show, when her veracity had been impugned, that the existence of Mrs. Moulton's story was prior to the alleged time of fabrication, and prior to the beginning of the interests of the alleged conspiracy. He quoted numerous authorities to uphold his proposition. In the midst of his argument he dropped backward into his chair with a half-muttered apology for a sudden attack of vertigo. Instantly there was a sensation. Judge Neilson ordered all the windows to be opened, and Mr. Fullerton drew from his pocket a box of medicine, a portion of which he made his associate swallow. This and a glass of water revived Gen. Pryor sufficiently to permit him to rise to his feet and resume his argument. He had uttered but a few words, however, when he again dropped nervelessly into his chair. Judge Neilson offered to order an adjournment, but the medicine and the cool breezes began to work, and Gen. Pryor refused to allow it. In a few minutes he arose again and, reading from Gen. Tracy's opening essay and Mr. Beecher's testimony, used the passages quoted with much vehemence to strengthen his proposition. He had proceeded for about a quarter of an hour, Mr. Fullerton watching him closely, possibly for indications of another attack, when a third time he suddenly dropped into his chair and gave the attempt up by leaving the court, saying that he was no longer able to remain.

Messrs. Abbott and Shearman were hunting up authorities. Mr. Evarts objected to going on, on the ground that he was entitled to the close of the argument, but being assured that it would be given him, he arose and replied lengthily, arguing that the proposed evidence being hearsay should be excluded. His argument was not finished at recess.

Mr. Beecher did not return with his wife after recess. Mr. Moulton and his wife, and Mr. and Mrs. Eddy were in the ante-room. Gen. Pryor did not come back. At a few minutes past 2 o'clock, Mr. Fullerton rose and stated that Mr. Bell had sent him the note spoken of in his evidence. It is dated Dec. 15, 1870. It was put in evidence. Mr. Evarts then resumed his argument. After quoting numerous authorities, he characterized the evidence sought to be introduced as the most pernicious kind of hearsay. The proposition of the plaintiff was a proposition to overthrow the entire rules of evidence. He sat down at 2:22. Mr. Fullerton arose to reply. He agreed with Mr. Evarts that the general rule was to exclude confirmatory evidence in the shape of similar stories told outside to those told on the witness-stand. He claimed, however, that there were exceptions, and that this was one of them. Mr. Beecher had sworn that Mrs. Moulton's story was an invention of a recent date, and told in obedience to her husband's authority, and the only way to meet it was to show that she told the same story to third parties at the very time the facts related happened. Mr. Fullerton quoted numerous authorities, including one of Mr. Evarts' quotations, an important paragraph of which the latter had omitted. He argued in contravention of Mr. Evarts that Mrs. Moulton's relations to the case had materially changed since June, 1873. Then, her husband was "the best friend that God ever raised up" to Mr. Beecher. In 1874 Mr. Beecher, to save himself, discovered that he was called upon to slay his friend, and with the aid of two lawyers denounced Mr. Moulton as a blackmailer from one end of the land to the other. Mrs. Moulton naturally sympathised with her husband in the change. Mr. Fullerton was very eloquent at this place. He had, he claimed, a right to remove the stigma from this good woman—to show that the story was not a recent invention; that it did not proceed from motives of hostility but that it originated at a time when she was using her womanly influence to obtain for Mr. Beecher yet another chance of safety from destruction. Mr. Fullerton spoke twenty-eight minutes.

Judge Neilson said the only thing that troubled him was what effect the proposed testimony might have upon the minds of the jury, it not being proper evidence to the cause, and merely proper to remove the imputation upon Mrs. Moulton. Mr. Beach said they confined their argument to the purpose of removing the aspersion upon Mrs. Moulton. Mr. Evarts answered Mr. Fullerton very warmly, claiming that no Judge quoted from ever dreamed of the introduction of any such evidence as that proposed. Judge Neilson asked him if an exception to the rule was not recognized. Mr. Evarts replied that no Judge in this State had ever admitted any evidence under the exception. Judge Neilson asked rather sharply, "What is the exception?" Mr. Evarts answered that no one could tell. He went on to reaffirm that no evidence had ever been allowed under the exception in this State. Mr. Beach asked permission to read a report of a case that took place in this State, and did so, but Mr. Evarts claimed that the decision was against it. The cross-firing was very sharp at this point. Mr. Evarts warmly continued his argument until Judge Neilson interrupted him at 3:30 o'clock, by expressing himself quite satisfied that the proposed testimony should not be received. The imputation on Mrs. Moulton, his Honor said, so far as it had been made in the opening of Mr. Tracy, if not proved, would go for nothing. It ought not to have been made unless it was to be supported by proof.

So far as Mr. Beecher's testimony went, the aspersion there was a mere opinion, not worthy of consideration. It was an uncharitable observation, resting on conjectural suspicion. The theory that a wife, especially one who had submitted to a long and acute cross-examination, had been overshadowed by her husband, was unworthy of a court of justice, and he would instruct the jury not to pay any attention to it. Better not to have any husband at all if a woman could not come into court without being influenced to invent and fabricate what is not so. Mr. Robinson had not resumed the stand since recess. Mr. Beach took an exception. He said he had another witness to whom Mrs. Moulton also narrated the interview with Mr. Beecher on the day it took place. Under the circumstances, he did not wish to call her; but Mr. Evarts would not concede even so much of a point as was contained in counsel's assertion, and Mr. and Mrs. Moulton, and Mr. and Mrs. Eddy walked into and around the room. The latter took the stand and the other three sat in front of her. She is a daughter of ex-Judge Sutherland, is tall and slender, has light red hair, and was richly dressed in black, with a profusion of white flowers in her hat. Her husband has been the book-keeper of Woodruff & Robinson for seventeen or eighteen years. She has been acquainted with Mr. Beecher since 1871. A few weeks prior to July 1, 1873, about 11 o'clock one morning while she was ascending Mr. Moulton's stoop, she met Mr. Beecher descending. He did not notice her. Mrs. Moulton let her in without ringing. That lady was greatly agitated. Mr. Evarts took an exception. Judge Neilson ruled out the conversation between the witness and Mrs. Moulton, and Mr. Beach took an exception.

As Mrs. Eddy stepped down Mrs. Moulton stepped up on the witness stand. She looked thin, but confident as ever. She corroborated Mrs. Eddy's story, and gave the date of the latter's call as the same day on which Mr. Beecher had the famous interview with her. This, she reasserted, was June 2.

Mr. Frederick W. Mitchell, a tall, dark-complexioned young man, was the next witness. He resides in Norwalk, Conn., and was Woodhull & Claflin's bookkeeper from Feb. 1 to Oct. 1, 1871. His testimony was confined to describing the negro Woodleigh's employment during that time and previous to 3:30 P. M. each day.

The object was to contradict Woodleigh's testimony that he used to open the exchanges, mark certain articles and clip other articles for republication.

Mary Catherine MacDonald, which is the full name of Mr. Tilton's old housekeeper, was then called. She is a respectable-appearing gray-haired matron, and was neatly attired in black silk, with a black bonnet. Bessie Turner swore that after Mrs. Tilton's departure on her famous Summer visit to Monticello, she (Bessie) remained in Mr. Tilton's house during the two weeks succeeding. It was during this period that the alleged improprieties took place; Mrs. MacDonald testified that Mrs. Tilton left in the middle of the week. On the Monday following witness and Bessie were to go down to Mr. Tilton's father's at Keyport. Mr. Tilton gave Bessie money to pay her fare and she left the house before witness did, and did not reach Keyport until Tuesday afte.noon. Mr. Tilton expected Mr. Greeley on Monday, but he did not come. At this point the court adjourned until this morning.

Judge Neilson says that it is not true, as has been stated, that a juror complained to him of having been improperly approached. Capt. Goodwyn, of Petersburg, Va., who has been in Brooklyn for some days, for the purpose of impeaching the negro Woodleigh, has returned home, the plaintiff's counsel having secured ample testimony nearer home. Woodleigh is in Petersburg, also.

THE VERBATIM REPORT.

At 11:07 George A. Bell was recalled and examined by Mr. Fullerton, as follows:

Q.—Mr. Bell, I want to call your attention to the proposed Deacons' meeting of Plymouth Church, about the time of the West charges. Do you recollect of the proposed meeting of the Deacons of that church about that time? A.—I have no remembrance of the West charges at all, Mr. Fullerton?

Q.—Do you recollect of any such proposed meeting after the publication of the Woodhull scandal? A.—Yes, Sir.

Q.—Did Mr. Beecher make any request of you, soon after that scandal, in regard to the proposed Deacons' meeting?

Mr. Shearman—Wait a moment. If your Honor please, we object to this, on the ground that it has been gone into already very fully on the direct examination. It appears in the evidence on page 695. It has been fully gone into.

Mr. Fullerton—Will you read it, Mr. Shearman?

Mr. Shearman (reading)—"Do you remember being present at any time when Mr. Beecher was present when the subject of this scandal was up for discussion?"

And after one or two other questions—

Mr. Fullerton—What column, Mr. Shearman?

Mr. Shearman—Second column.

Mr. Fullerton—Right hand side?

Mr. Shearman—Right hand side.

Mr. Shearman (reading):

"Where did it take place?" &c.

"Q.—What occurred at the interview between yourself and Mr. Beecher? A.—Mr. Beecher said he had sent for me because he understood—he had heard, I think, the day before—that there was to be a meeting of the Deacons in regard to the matter," &c.

And so the conversation is given in great detail.

Mr. Fullerton—I believe that is so, Mr. Bell, and I will pass to another topic.

Q.—Do you recollect of Mr. Beecher calling upon you about the middle of December, 1870, with reference to a domestic difficulty in the family of Mr. Tilton? A.—Yes, Sir.

Q.—Do you recollect the date? A.—Not excepting as connected with the documents published in this trial.

Q.—Yes, but in connection with these documents you do? A.—I can remember—

Mr. Shearman—Can't you speak a little louder, Mr. Bell?

Witness—I can remember—

Mr. Shearman—Wait a moment, Mr. Bell.

Witness—Repeat the question, please?

Mr. Fullerton—I call your attention to the middle of December and to an interview with Mr. Beecherin respect of a domestic difficulty in the family of Mr. Tilton? A.—You are speaking about the date, I understand?

Q.—Yes, Sir? A.—I merely know of my own knowledge within a certain number of years during which that interview must have taken place—that is, it must have taken place while I lived in my present residence, and I moved into that residence in the Spring of 1869; it must have been since that time, but I have been able to fix the date from the proceedings in this trial.

Q.—And having fixed it so, what date was it? A.—The middle of December.

Q.—What year? A.—1870.

Q.—Did you visit the house of Mrs. Tilton or Mrs. Morse with Mr. Beecher? A.—No, Sir.

Q.—Where did Mr. Beecher see you in regard to that? A.—In his own house.

Q.—Under what circumstances were you there? A.—I went there by his request.

Q.—What did he say, if anything, in regard to the proposed visit to Mrs. Morse?

Mr. Beach—The question is not heard, Mr. Fullerton.

Mr. Fullerton (raising his voice)—What request did Mr. Beecher make of you touching the proposed visit of Mrs. Tilton at her mother's, Mrs. Morse? A.—He requested my opinion about certain matters.

Q.—Did you give it? A.—Yes, Sir.

Q.—What request did he make? A.—Do you mean an opinion upon what points?

Q.—No. What request of you did he make? A.—He requested my opinion.

Q.—Well, did he state any facts upon which you were to base your opinion? A.—Yes, Sir.

Q.—What advice did you give him? A.—That is—it is so much plunging to the very end of it from the beginning.

WHAT BEECHER SAID TO HIM AND WHAT HE SAID TO BEECHER.

Q.—Commence, then, at the beginning and tell us what he stated to you, and then what advice you gave him? A.—He stated to me that he had been sent for by Mrs. Tilton to consult in regard to the position of the domestic affairs in her own household; that she had left her husband and was then at Mrs. Morse's, her mother's; that she was in great trouble and great anxiety; that the conduct of her husband had been in a great many ways very severe, very cruel, and everything but what—I was going to say, what a decent man's conduct ought to be to a woman. He stated that Mr. Tilton's conduct in regard to other matters—in regard to licentiousness—was very low. He stated that he had been called upon by a young girl, he didn't mention any name—a young girl who had been in Mr. Tilton's family. She had related to him certain circumstances occurring in the family, in the household of Mr. Tilton, which were exceedingly licentious. He stated—I presume I need not go into the particulars of that statement; I have sufficiently indicated what it was—he stated that at last Mrs. Tilton had been forced to fly from her home; that she had done so, and had gone to Mrs. Morse's; that she had sent for him to advise him—to advise with him as to what course she should pursue; that he had consulted Mrs. Beecher on the subject, and then they thought, both thought, that it was better that they should mention the facts to some member of the church, so that they might not go on in the matter with the whole church ignorant of these proceedings, or of what advice they might give or tender to Mrs. Tilton. They had therefore called for me, not so much for my advice, as to inform me of the facts that were occurring, and inform me of what advice they proposed to give, if any, to Mrs. Tilton. He asked me then—he said then that he proposed to hand the matter over to Mrs. Beecher; that it was a matter a lady could manage better than a gentleman, and Mr. Beecher intended, by suggestion, intended to go and see Mrs. Tilton next day. The question was particularly as to what advice Mrs. Beecher should give to Mrs. Tilton. I don't know whether from Mrs. Beecher, or from him but the question came up about a permanent separation from one or the other. A suggestion was made of a permanent separation between Mr. and Mrs. Tilton, and Mr. Beecher asked me what I thought of that. I said, in answer, of course nothing else can be possible; it is impossible that Mrs. Tilton should live another day with Mr. Tilton on such facts as you have presented to me. Mr. Beecher asked me if I thought it would be well to call in any of the ladies of the church; I am not sure whether Deaconesses were mentioned then, because, if so, he would say we hadn't them at that time, but it is clear in my memory that he did ask me if the advice of any of the ladies of the church should be called for, or that the matter should be handed over to the ladies of the church—to any of the ladies to manage; I said unquestionably not; it was a matter of great delicacy, it was a matter far more easily managed by a few than by many, and it would be exceedingly harmful to bring it into the church, or even under the notice of any ladies unofficially, and that I was certain that the best management of the case would be to have it left in his own hands and those of Mrs. Beecher: it was then—I think that was about the substance of the interview; I had another interview the following day, I think.

Q.—You are not able to state the day of the month when this took place? A.—Well, I believe I would have been, Sir, if I had known the very slightest what you intended to examine me about; I came on the stand without the slightest consultation with the lawyers on your side. I have a note at home, I think—not that I preserve papers—but my son is an autograph collector, and he saves all autographs of Mr. Beecher that I have, and this note I found within a few weeks calling for that very interview.

Q.—You can, then, give us the exact date, can you not? A.—No, I don't know that; I can not—

Q.—I interrupted you as you were going on to say something? A.—I was going to say that I thought—but perhaps I had better not say it, because I don't remember distinctly.

Q.—Can you remember by referring to the note? A.—I can, Sir, but I am leaving town this afternoon and will be gone until next Saturday.

Q.—Is there any one that you could send a note to? A.—I suppose that I can be called upon for the note; and if there would be nothing improper in it, I can send it to you.

Q.—We can get the date of it without your appearing. A.—I think the date is in it, but I will not be quite certain.

Mr. Fullerton—Then, if you will be kind enough to send it to us, it will be returned to you. The other side will perhaps consent that it be used for the purpose of fixing the date.

Mr. Shearman—Certainly; you may send that note, Mr. Bell. That is all.

TESTIMONY OF LEWIS G. JANES.

Lewis G. Janes called by plaintiff, and sworn and examined by Mr. Fullerton as follows:

Q.—Where do you reside? A.—At No. 440 Carleton avenue, Brooklyn.

Q.—How long have you resided in Brooklyn? A.—Five years last January.

Q.—What is your business? A.—I am the manager, or the superintendent of the Butler Health Lift, in New-York and Brooklyn.

Q.—Where is your place of business in Brooklyn? A.—No. 158 Remsen street.

Q.—Where in New-York? A.—In the Park Bank building, No. 214 Broadway.

Q.—Are you acquainted with Mr. Beecher? A.—I have known Mr. Beecher by sight for ten years; I was introduced to him in the Spring of 1871.

Q.—And has he been a customer of yours? A.—He has.

Q.—At what time? A.—From the latter part of March, 1871—during the three months following very regularly; and, I think, running very irregularly a little beyond that time, and a few times in the Fall.

Q.—You are married? A.—I am.

Q.—Have you a family? A.—Yes, Sir.

Q.—When is the anniversary of your marriage—what day of the year? A.—On the 2d day of June.

Q.—When were you married? A.—The 2d June, 1869.

Q.—On the 1st of June, 1873, did you have a place of business in New-York? A.—I did.

Q.—Where was it at at that time? A.—At the same place where it is at present—No. 214 Broadway, in the Park Bank building.

Q.—Do you recollect from about the 31st of May and the week following, of having a patient in New-York that called you over there early in the morning? A.—On the 29th of May I recollect such an instance; yes, Sir.

Q.—Did you see Mr. Beecher on the 2d June, 1873? A.—I recollect that I did.

Q.—Where did you see him? A.—I saw him first as he was about stepping from the little bridge crossing the carriage roadway, which leads down to the Wall street ferry at Montague terrace.

Q.—From which direction was he coming? A.—From the direction of Columbia Heights.

Q.—There was where Mr. Beecher resided—No. 124 Columbia Heights? A.—I understand so; I do not know the number.

Q.—When he passed the bridge, which direction did he take? A.—He took a direction leading toward Remsen street.

Q.—Crossing Montague terrace? A.—Yes.

Q.—Did you see him turning Remsen street? A.—I did.

Q.—Which way did he turn in Remsen street? A.—He turned toward Court street.

Q.—That is toward Mr. Moulton's residence, No. 49 Remsen street? A.—It is.

Q.—About what hour in the morning was this? A.—As accurately as I can fix it, it was shortly before 9 o'clock; I think not after that.

Q.—How far is Mr. Moulton's residence from Montague terrace, where you saw him—from that corner? A.—I am unable to fix it accurately, but I should think only a few houses—four or five houses.

Q.—In that block? A.—Yes, Sir; it is in that first block, if I recollect correctly.

Q.—And from No. 124 Columbia Heights to Mr. Moulton's residence, that would be the most direct route to go, would it not? A.—I should judge so.

Q.—About how far is No. 124 Columbia Heights from Mr. Moulton's? A.—I very seldom pass through Columbia Heights, and am unable to say. I should think it would be about ten minutes' walk, if you want me to guess; possibly more.

Q.—Now state what circumstance, if any, there was in your meeting Mr. Beecher that morning that impressed it upon your mind? A.—In order to explain that I shall have to explain my state of feeling.

Q.—Explain that. A.—When I started out of the house—the 2nd of June is a very pleasant anniversary to me. My intention is always, if possible, when business permits me, to make a sort of semi-holiday of it. On that occasion I felt obliged to go over to New-York at an earlier hour than usual. I usually reached my New-York rooms in the vicinity of about 10:30 o'clock; but on that morning, and for a few days about that time, I was obliged to go earlier. I left my house with the intention of returning, if possible, earlier than usual, and to make a sort of holiday of it, and I was in a very pleasant mood of mind. On seeing Mr. Beecher I recognized him at once, and, perhaps egotistically, thought that he would recognize me when we met, as we did very nearly; but as I came nearer to him I saw that his countenance indicated a person who was troubled—

Mr. Evarts—No matter about your stating the indication of his countenance.

Mr. Beach—We think it is some matter.

The Witness—His head was cast down; he appeared to be in trouble, and it produced a change in my state of mind which fixed itself upon my memory, and on returning home at night I repeated the incident to my wife.

Q.—When you met Mr. Beecher, how near did you pass? A.—I should taink as near or nearer than I am to him now.

Q.—He did not recoguize you? A.—He did not appear to recognize me; I do not think from his appearance that he would have recognized any one.

Mr. Evarts—I move to strike out that last clause.

Judge Neilson—Yes; strike out the last clause.

The Witness—I hope, Mr. Evarts, that you will accept my apology if I deviate in any way.

Mr. Evarts—It will depend upon the course of your examination. I do not see why you need to apologize to any body.

The Witness—It was entirely unintentional.

CROSS-EXAMINATION.

Mr. Evarts—Now, Mr. Janes, you say that you make the 2d of June, or had a disposition on that day, to make the 2d of June a sort of holiday? A.—That is my feeling and intention when business permits.

Q.—This was in 1873? A.—Yes, Sir.

Q.—You had been married for four years? A.—Yes—1869 to 1873.

Q.—Had you carried out that purpose on your previous anniversaries? A.—Well, to a certain extent.

Q.—You had not succeeded fully on any one anniversary? A.—That I will have to recall to my recollection a little. On the one following—

Q.—Don't go into details. A.—I think I had on one at least. I can tell you why I had not on the other two anniversaries, if you would like to know; would you like to have me tell you?

Q.—Oh, not the least! I have not the least curiosity about it. Now, Mr. Janes, you think that Mr. Beecher had a gloomy look? A.—Yes, Sir.

Q.—Do you remember how he was dressed? A.—Yes, Sir; that is, I could not of course indicate absolutely, but I recollect the general impression made upon my mind.

Q.—You recollect that he had his clothes on, I suppose? A.—Yes, Sir; a dark or black suit of clothes, I should say, without any overcoat.

Q.—Do you know whether the weather was warm enough that day to dispense with an overcoat? A.—It was.

Q.—Was it quite hot? A.—My recollection is that it was a day to dispense with outside coats at all events.

Q.—The 2d of June was? A.—Yes, Sir.

Q.—But you have no more distinct recollection about it than that? A.—I have refreshed my memory by a reference to the tables.

Q.—What did you find out? A.—I found that it was from 80° to 85° along through the day in that vicinity.

Q.—Did you not find out that it was near 90° about 8 o'clock that morning? A.—I think not; I cannot tell absolutely.

Q.—Don't you remember that it was a very hot day? I recollect that it was a warm day; that is my impression of it; I remember the day previous to that, that the weather was more hot than on that day, for I was out doors nearly all of the day.

Q.—Do you remember whether it was a hot, sunny day? A.—No, Sir; I could not say whether or not it was cloudy, but I recollect that it was not stormy; it is my recollection that it was not stormy.

Q.—Then your observation of Mr. Beecher's face produced more of a chill on you than the fact of whether or not the sun was out? A.—Yes, Sir, decidedly.

Q.—What sort of a hat did Mr. Beecher have on? A.—My recollection is simply that he did not have on a tall silk hat; I could not say more definitely than that.

Q.—Was it an unusual thing for you to see Mr. Beecher? A.—Rather unusual at that time.

Q.—How long do you think it had been since you had seen him? A.—I may have met him on a boat—

Q.—I am not asking you that. I ask how long since you remember to have seen him. You *may* have met him anywhere. A.—I have no distinct recollection of having seen him since he left our rooms; but I think that I attended his church once during that period, but I am not certain.

Q.—You do not remember that? A.—Not absolutely; I think that I only attended there three or four times since I have been in Brooklyn, but I would not be able to remember the exact dates.

Q.—You run on a little, but that is not important. You will follow my questions, if you please. You think that you did see him the last time that he left your place? A.—No, Sir; I do not say that; the last time that he left my presence, I did.

Q.—When was that? A.—That I cannot tell distinctly.

Q.—What do you say about the date? A.—I think—I am not certain—I cannot say whether I saw him, but he was in my rooms, I think, three or four times, possibly more—possibly not over two or three times—in the Fall of 1871; whether I saw him then I do not recollect, but I do recollect distinctly an occasion in the Spring of 1871, which I think was toward the last of his sitting.

Q.—And now for two years you have not seen him? A.—I think that I have met him casually, but not so as to identify the occasion; there is nothing to impress it upon my memory.

Q.—You do not know, then, that you have met him? A.—I could not swear to it during that period.

Q.—Now, was your usual trip to the ferry over the Wall Street Ferry? A.—Yes, Sir.

Q.—Then it was an every-day matter to you? A.—Not every day, absolutely, but commonly.

Q.—You went over every day, didn't you? A.—I went some way, every day, nearly.

Q.—That was your habit—to go over every day? A.—Yes, Sir.

Q.—And you went by the Wall Street Ferry? A.—Usually.

Q.—Where did you live at that time? A.—I lived on the 2d of June, 1873, where I live now.

Q.—I have not the least idea where you live now. A.—I stated on my direct examination that I lived at No. 440 Carlton avenue.

Q.—Where is that as respects Wall Street Ferry? A.—I should judge a mile and a half from the ferry; perhaps more.

Q.—You go through a great many streets to get to it? A.—Not a great many.

Q.—But you go a good length? A.—A good length.

Q.—Where did you come into Montague street that morning? A.—That I am unable, absolutely, to say on that day. I could give you my usual course, but occasionally I departed from it.

Q.—Then I do not think it would be of any use to me to know, as that is the only day that I want to know about. You do not know? A.—I know this, that I came into it on that morning as high up as Clinton street, as far toward Court as Clinton.

Q.—Did you go along the platform and down the steps? A.—I went along the platform and down the steps.

Q.—Is that your usual course? A.—It is a very frequent course with me; I like to look out upon the water.

Q.—Which way do you usually go? A.—I think about as often one way as the other.

Q.—You have no impression, therefore, about it? A.—I know that I did that on that morning; yes, Sir, I have a very decided impression about that.

Q.—Do you remember looking out upon the water? A.—Yes, Sir.

Q.—What did you see? A.—I saw the water.

Q.—What? A.—I saw the water.

Q.—You have a distinct recollection that you looked for the water that morning, and that you saw it? A.—I perhaps reasoned that out—perhaps to be strict about it.

Q.—Where was Mr. Beecher when you first saw him? A.—He was very near the bridge.

Q.—What street was he in? A.—I think it is called Montague Terrace along there; I do not believe that it is easy for Mr. Beecher to make a secret of his feelings.

Q.—You think that he has a pretty transparent character?

Mr. Beach—I object to that.

The Witness—I am not a judge, as I said before.

Mr. Evarts—You are not a judge, you say?

Mr. Beach—Wait one moment.

Mr. Evarts—You are not a judge?

Mr. Beach—Now, wait one moment.

Mr. Evarts—I have just asked him whether he was a judge.

Mr. Beach—And I am objecting all the time.

Mr. Evarts—As you passed along, how long was it before you came to the descent of the steps? A.—It was not very long, but longer than I would usually be in going to the steps.

Q.—How long, as matter of fact, were you? A.—I do not think over three minutes; possibly not as long as that.

Q.—It did not take you that time to walk that distance? A.—No, Sir.

Q.—How long would it take you to walk it at the ordinary speed? A.—I do not know; I suppose a minute, possibly.

Q.—A half-minute, could you not? A.—I should judge that it would be pretty quick in half a minute; but it is merely a matter of judgment, and I do not think that I am a very good judge of that.

Q.—Now, as Mr. Beecher passed ahead of you, where did his course take him? A.—Toward Remsen street.

Q.—As I understand it, you were going along Montague street? A.—Yes, Sir.

Q.—He would cross the path which I was taking.

Q.—He would cross the path and then cross over the road that goes down to the ferry? A.—That was the road; he did cross over the bridge before I reached his immediate vicinity.

Q.—Have you stated which side of Montague street you were on? A.—I was on the left hand side of Montague street, as you go down toward the ferry.

Q.—The steps are on both sides, are they not? A.—Yes, Sir.

Q.—And Mr. Beecher then went along—what street would it be? A.—I think that it is called Montague Terrace, along there.

Q.—That is, as he passed you, his course took him along Montague Terrace, did it? A.—Yes, Sir.

Q.—On which side was that that he was on—nearest the water? A.—Which side of Montague Terrace?

Q.—Yes, Sir. A.—Montague Terrace passes parallel with the water, as I understand it. He was on the bridge. You could hardly tell which side he was on, as the bridge is very narrow.

Q.—You never said, after he got on to Montague Terrace, which side he was on? A.—Yes, Sir; after he crossed the bridge he was on the upper side, toward Court street.

Q.—He was heading toward Remsen street? A.—Yes, Sir.

Q.—And is Remsen street the first street beyond Montague? A.—Yes, Sir; I understand that to be called Montague Terrace when it reaches Remsen street, but I may be incorrect as to that.

Q.—It ends there, or runs up against a building, does it not? A.—Yes, Sir.

Q.—Did you see Mr. Beecher turn into Remsen street? A.—I did.

Q.—Did you stop? A.—I slackened my pace, and may have stopped. I had curiosity enough to do that.

Q.—But you cannot say whether or not you came to a dead halt? A.—Not absolutely—no, Sir. I may have walked more slowly, and I may have stopped absolutely for a moment.

Q.—And then you turned your head, I suppose? A.—After I saw him turn the corner I turned my head.

Q.—But you turned your head to see him as you went along? A.—Yes, Sir—my head or my body.

Q.—You turned your eyes around in some way? A.—Yes, Sir.

Q.—And when he got to Remsen street you then paid attention to your own course, I suppose? A.—Yes; and went down the steps.

Q.—You did not see any expression of his face, except at the moment that he was passing you, did you? A.—I noticed only the general incamation of his head when I first saw him; as I came near him I noticed the expression of his face.

Q.—But after he got by you, you did not then see any expression of his face? A.—No, Sir; not when his back was turned.

Q.—You say that you think this was the 2d day of June, 1873? A.—Yes, Sir; it is connected in my mind with that event so that when the recollection of one rises to my mind the recollection of the other rises with it.

Q.—That is, the event of your marriage? A.—Yes, Sir.

Q.—On that day, after seeing Mr. Beecher, you went to your office? A.—Yes, Sir.

Q.—And did you stay there? A.—I staid there for some time.

Q.—What did you do afterward? A.—After I got through with staying there I went home.

Q.—What time did you go home? A.—My recollection is that it was later than I anticipated going home in the morning; it was in the vicinity of 5 o'clock when I left my room.

Q.—About your usual time of going home? A.—No, Sir; I usually go home at 6.

Q.—So that all that you saved of that holiday was from 5 to 6 o'clock? A.—I did not save very much of that day.

Q.—That was all, was it not, from 5 to 6? A.—I judge that to be about the time.

Q.—Now, have you any distinct recollection that you saved anything? A.—I am very certain that I did; and if you would like to know why I will tell you.

Q.—You think that you did save that back end of the day? A.—Yes, Sir.

Q.—When were you first spoken to to be a witness? A.—I was subpœnaed last Saturday.

Q.—How did that come about? A.—Would you like to have me tell you the whole story?

Q.—Well, if it is a long one I would not, but I would like to know what you said or did about the matter? A.—I do not see how I can get rid of going into the history of it to give you a correct idea.

Q.—Then I will dispense with the history. I see that you like details. I do not. All that you say is that you were subpœnaed last Saturday? A.—Yes, Sir.

Q.—And that to tell how you came to be subpœnaed would require a long history? A.—Not very long, Sir.

Q.—Pretty long? A.—I think that I could tell it in ten minutes.

Q.—Oh, well, that is too long. How do you know at what time you started from home on that morning. Did you start from your home or from your office? A.—I started from home.

Q.—You were at home to begin with, I suppose? A.—Yes, Sir.

Q.—But when you started to go across the ferry were you at your house or at your office? A.—My office in Brooklyn, do you mean?

Q.—Yes. A.—That I am unable to tell absolutely on that particular day; my habit was to stop at my Brooklyn office in the morning; but on that particular occasion, and for a few days thereafter, it was necessary for me to reach New-York earlier than usual, and I think that on some of those days I dispensed with stopping in Brooklyn in the morning.

Q.—On several of those days? A.—Yes, Sir.

Q.—How many days do you include in that period? A.—I think about a week.

Q.—Antecedent or following? A.—Commencing on the 29th.

Q.—And extending for about a week? A.—Yes, Sir.

Q.—Then, for a period, from the 29th, for about two weeks, there was something exceptional in the hours of your movement? A.—Yes, Sir.

Q.—And you cannot tell me, therefore, at what particular hour you were at your office in Brooklyn on the 2d of June, or whether you were there at all or not? A

testimony. It violates the first principle of the law of evidence."

And that is the objection raised by the gentleman on the other side.

"It violates the first principle in the law of evidence to allow a party to be affected, either in his person or his property, by the declarations of a witness made without oath. Besides, it can be no confirmation of what the witness has said on oath to show that he has made similar declarations under no such solemn obligation to speak the truth. It is no answer to say that such evidence will not be likely to gain credit and certainly will do no harm. Evidence should never be given to a jury which they are not at liberty to believe. The Referee was properly governed in receiving the evidence by the language of the learned Chief Justice in the case of The People against Vane, (12 Wendell, 78.) But that does not necessarily go beyond deciding that the testimony of an accomplice in a crime might be corroborated by showing that when arrested he gave the same relation of the facts which he had given on oath upon the trial. The fact that an accomplice was called as a witness for the people gave rise to the inference that he was criminating the defendant for the purpose of exempting himself from the prosecution for the larceny. It may, therefore, be proper to show that he had given the same account of the matter at the time when there was no such motive for making a false accusation. If when first arrested, and when he had no expectation of personal exemption, he had frankly disclosed the whole matters, that might tend to confirm his subsequent repetition of the same statement on oath. This brings the case within the acknowledged exception, to the general rule that the testimony of a contradicted, impeached, or discredited witness cannot be confirmed by proving that he has made similar declarations out of court."

This is the language of Mr. Phillips. Mr. Phillips, in stating the general rule, says:

"In one point of view a former statement of a witness appears to be admissible in confirming his evidence, and that is where the counsel on the other side imputed a design of misrepresentation from some motive of interest or relationship. Now, in order to repel such an imputation it might be proper to show that the witness made a similar statement at the time when the supposed motive did not exist, or when motives of interest would have permitted him to make a statement of the facts."

And in the case of Smith vs. Stickney, quoted in the 17th Barbour, page 189, Mr. Justice Wilis, delivering the opinion of the court, recapitulates the authorities that I have cited, reaffirming and recognizing this theory, and then adds:

"We can perceive nothing in the present case to bring it within the exception of the general rule. The witness has sustained but one relation to the party or to the case, and that relation has at no time been changed."

Thus recognizing the exception, ratifying the principle reaffirming the doctrine for which we now contend, and by virtue of which we maintain the admissibility of this evidence. So, in the 1st of Parkins' Criminal Reports, page 147, we find the case of the People vs. Finnegan:

"As a general rule," he says, in the head note, "it is not competent, in support of the testimony of a witness, for the party calling him to prove that he has made declarations out of court corresponding with his testimony in court; the exceptions to this rule were stated."

And the court says:

"The exceptions to the rule as now established in this State are, when a witness is charged with giving testimony under the influence of some motive prompting him to make a false or colored statement in the case, it is said it may be shown that he made similar declarations at the time when the imputed motive did not exist, and when there was evidence in contradiction tending to show that the account of the transaction given by the witness is a fabrication of a late date; it is said it may be shown that the same account was given by him before its legitimate effect and operation arising from a change of circumstances could have been foreseen."

Now, Sir, I can adduce other authorities, both from the elementary writers, and from the reports, but it were idle to detain the court with this recital. Suffice it to say that the concurrence is numerous of authors and judges in support of the doctrines which we enunciate, and that to the contrary of it not a solitary dogma is to be found in any book of repute, nor solitary dictum from any court of respectability. It stands as little criticised and challenged as any principle in the law of evidence. It is imbedded deep in our system of jurisprudence; it is one of the lights fixed, and stable, set for the guidance of courts in the investigation of truth, and—pardon me, your Honor—rash would be the hand that would venture to extinguish it. But the proposition is as well established by reason as it is supported by authority. Where the testimony of a witness is merely contradicted by his declarations, where on the one side is mere asservation, and on the other, denial, where affirmation is only opposed by negation, here is a competition of credibility, and it would be preposterous to receive the unsworn declarations of a witness in confirmation of his testimony under oath. But where, beyond and besides this power of contradiction, an alien and independent fact is introduced in discrediting the testimony, manifestly and essentially the case is different, for then the testimony of the witness—

Mr. Pryor suddenly stopped, ceased speaking, and placed his hands to his head, and after a pause said: "If your Honor please, I have an attack of the vertigo," and resumed his chair. The windows were raised by direction of the Court, and after drinking some water and pressing his head several times Mr. Pryor resumed.

MR. PRYOR'S ARGUMENT CONTINUED.

If your Honor please, I think I have made the proposition which we enunciate intelligible to your Honor, and my learned adversaries. I do not feel able—it is impossible that I should undertake such an argument. I assume it, however clear, that the question arises, and I state again, it is impossible for me to proceed—

Mr. Pryor was again overcome and compelled to sit down.

Judge Neilsen—I will adjourn, cheerfully, if you wish.

Mr. Pryor—Oh, no, Sir.

After rallying, Mr. Pryor proceeded to say: It appears, if your Honor please, by the authorities which I have produced, and by the train of the argument which I have been enabled to deliver, that where the testimony of witness is impugned by the imputation, that it is of recent invention—

Judge Neilson—Mr, Pryor, take your seat, I can hear you converse.

Mr. Pryor—Never mind, Sir. It appears that it was a recent invention, or a fabrication, for the occasion, or a product of some special interest or influence; that then, in either of these contingencies, it is competent for the party to maintain the credibility of his evidence by disproving the intormity and discrediting the fact adduced against him, I say, this being an incontrovertible proposition of law, the question arises whether here the defendant has affected the testimony of Mistress Moulton by evidence or allegations of such informity or discrediting fact. If we concede, if it please your Honor, that if her testimony were barely contradicted, the evidence offered would not be open to us. Now, Sir, in reference to the address of the learned counsel who opened for the defense, and especially by reference to the testimony of the defendant himself, it will be found that ample foundation was laid, and ample provocation given for the introduction of the testimony we offer. Gen. Tracy, in page 82 of the pamphlet edition of his address, uses this language:

EXTRACT FROM TRACY'S OPENING ADDRESS.

"I now, gentlemen, approach one of the most delicate subjets which my duty calls upon me to discuss. I refer to the connection of Mrs. Emma Moulton with this case. Apart from her relations to this matter I shall not speak of this lady otherwise than in terms of respect. I feel most deeply her extraordinary position, the terrible emergency which she had to meet, and the overwhelming power of the temptation before which she has fallen. The truth of this case makes it impossible for me to abstain from speaking with apparent severity of this lady's testimony, and I do so with sorrow for her, reserving all my indignation for those who have forced her upon the witness stand to confirm the accusations which they have invented."

Again, on page 83:

"What is the relation of Mrs. Moulton to this case? This lady is the wife of the only man who has anything to lose by a verdict for the defendant. Animated by his thirst for revenge, Francis D. Moulton has hereted all on the issue. The plaintiff himself might find some one to excuse him on the supposition of insane jealousy, but no excuse can be made for his friend. He will be held to a stern responsibility, and the plaintiff's failure in this suit, as every man can see, involves Mr. Moulton in utter and helpless ruin. Yet his guilt and ruin will not release his unhappy wife from her allegiance, nor make him any the less the father of her only child. What a terrible alternative for her. If she so testifies as to save Mr. Beecher she necessarily ruins her own husband, destroys her home, and leaves her only child to a blight."

And so on, through columns of vehement and exaggerated declamation.

THE LANGUAGE USED BY MR. BEECHER.

Now, the defendant, in his direct examination, uses this language in reply to a question by Mr. Evarts, page 885:

"Did Mrs. Moulton ever address you in that way? A.—No, Sir; it was not in her nature to say anything of the kind, and she never did—[after a pause]—of her own accord."

This apropos of the interview of June 2. Now, then, further upon his cross-examination, in development, amplification, and explanation of the idea, here referred to if not expressed, the defendant spoke as follows:

"Q.—In the cross-examination of Mrs. Moulton, you were asked by your counsel whether she said a certain thing to you, and your reply was in part, 'not of her own accord?' A.—No, Sir; I did not. I think, Sir, you have made a mistake in your testimony. You say in the cross-examination of Mrs. Moulton; I think you have made an error.

Q.—Perhaps I have in the examination of yourself then? A.—Yes.

Q.—You were asked as to whether Mrs. Moulton did not say a certain thing to you, and you said, in substance, she did not; that she never did of her own accord. Do you recollect that sentence? A.—I do.

Q.—What did you mean by the words 'not her own accord'? A.—Perhaps I meant what I ought not to have said.

Q.—Never mind that. A.—But this is what I meant: that I believed Mrs. Moulton had been made to make that statement by influence.

Q.—Who do you think exercised influence upon her? A.—I think Mr. Moulton did.

Q.—When do you think he did it? A.—Ah! I don't know; after we broke, probably.

Q.—In the Summer of 1874? A.—Yes, Sir."

Now, if your Honor please, here is a positive, explicit declaration of the learned counsel for the defendant; here is a positive, explicit testimony of the defendant himself, that the story told by Mrs. Moulton upon the witness-stand, was not the effect of her own mind and will, but was an utterance wrung from her by the sovereign and remorseless influence of her husband; that it was a fiction, fabricated for the occasion; that it was a tissue of falsehood, conceived and delivered to meet the exigencies of this particular litigation to uphold her husband in his present controversy with the defendant. Now, Sir, to rebut these facts and to repel this imputation, we offer to prove—and this is our offer—that immediately after the interview with Mr. Beecher, and of her own volition, and without the privity of her husband, and before any controversy between her husband and Mr. Beecher had arisen or was apprehended—made while Beecher and Moulton were in affectionate confederacy and co-operation for a common purpose, namely, to suppress this scandal, and to shield the defendant's character—we offer to prove that at that time, under those circumstances, Mrs. Moulton told the story precisely as she delivered it under the sanction of an oath, in the presence of a court and jury. Now, if your Honor please, if this evidence be rejected, there is presented this—

[Mr. Pryor was here again seized with vertigo, and compelled to leave the room.]

Mr. Fullerton—We are quite content to leave the opening argument as it is, leaving the other side to reply.

Mr. Evarts—We make the objection.

Mr. Beach—Well, we make the proposition, and we have heard nothiug from the other side.

Mr. Evarts—You have the close.

The Court—You may have the close—I don't care about that; only it is very possible, if you make an argument at all, it may be that I shall want some help in order to see their view.

Mr. Beach—It is very fair that we should learn from the other side what their views are in this matter.

The Court—Undoubtedly.

MR. EVARTS ON THE SITUATION.

Mr. Evarts—The views of our side remain as simple as they were when they were first stated. It is a recognized rule of evidence that no party is to suffer in a judicial proceeding by the production of evidence, unless under the sanction of an oath. That excludes all hearsay evidence, in all its forms. Now, there came to me a notion, in England and in our own courts, that when a witness, in respect to statements made in court, which had been contradicted by evidence of contrary statements out of court; that then there was a seeming reason in allowing inclination of the statement to be given, thus weakened by statements to the contrary out of court, to be confirmed or assisted by corroborative or adhering statements out of court, and to a certain extent in England and in this country that rule was followed. But its infirmity, its contradiction of the first principles of the administration of the law of evidence, were soon detected; the rule was rejected and the practice exposed. I shall call your Honor's attention to the cases that thus dispose of it. It is a rule which can have no foundation in reason, unless you abandon the rule that hear say evidence shall not be heard in a court of justice. If whenever opposing witnesses under oath resist one another, you are then to look around for the corroboration of what each one of them has said out of court during the period of years since the occasion arose, you at once throw down the barrier of protection; and one court has animadverted with severity upon the proposition that has been now made to your Honor. Now, after the reassertion of the clear and necessary rule of evidence, and the vindication of the courts of justice from the folly of having a rule against hearsay and then introducing hearsay, there are found suggestions that there may be exceptions. Where will my learned friends find authority in this State that allowed any evidence that it has been attempted to produce under such an exception?

Every case where the attempt has been made under the cover of this special reason, or special exception, has been rejected; and no support is given in the inclination of any court of ours to sustain any such reduction of the integrity of the rule. All that they can find is "it seems" that there are alleged to be certain exceptions; but after, as I say, they have relinquished the proposition that conformatory extra judicial statements should be received, no court in this State has attempted any such innovation or reduction of the rule of evidence. But what is the proposition here? Why, the proposition thus introduced by the word "it seems," in some text-books, in some cases, is that a change of situation may have occurred. When the new situation is alleged to be the cause of the influence, or the inducement, that before the new situation intervenes, there were corroborative statements. Now, what fact arises here for the application of such a proposition? This lady was examined as a witness in regard to an interview which was alleged to have taken place between herself and Mr. Beecher on the 2d of June. Mr. Beecher is introduced to speak to that same alleged interview, and he has given his testimony, and abrogated the day, abrogated the interview, as an interview, and given such testimony as is pertinent to their interviews with him touching the same subject matter. No witness has been introduced to prove that Mrs. Moulton has made a contrary statement out of court; that situation does not arise. That is not sufficient; but that situation must exist before you can look around for the other aid of introducing this kind of evidence, on the ground that before a change of attitude or relation, which is supposed to be the cause of bias, intervenes, the person, when freed from that relation, spoke out of court otherwise. I do not believe any court in this State will ever sustain the exception to that extent. There is no case sustaining it, and there is no disposition to sustain it. But Mrs. Moulton has not changed her relation. She has been the wife of Mr. Moulton at all times which are embraced in the proposed testimony now to be given. The imputation that she testifies under another will than her own is an imputation that she testifies under the will and purpose of her husband, and he was her husband during the whole period that is sought to be brought under review. But the testimony itself, if anything that came from Mr. Beecher is relied upon, must be limited to this particular inquiry, "Then, did she say anything of this kind?" This is the question in respect to which his answer is supposed to contain the imputation that a will other than her own has affected her testimony:

"Then, did she say anything of this kind: 'Mr. Beecher, I am very sorry for you in this great trouble. There is only one way out for you, and that is by a confession and telling the truth. You cannot continue in this life of deception and hypocriey; the truth will come out sooner or later.'—Did Mrs. Moulton address you in that way? A.—No, Sir; it was not in her nature to say anything of that kind, and she never did—(after a pause)—of her own accord"

Now, what is the cause of imputation? Why, the imputation is, if it is anything, that she speaks under the influence of her husband. They do not show any statements of hers out of court independent to the existence of that relation; they don't show any change of that relation on the part of this witness toward the alleged bias, to wit, her husband's will. They don't show any change of that relation as to this matter at all. What Mr. Moulton has been saying and doing, what Mrs. Moulton has been saying and doing, is just as much a question of the influence of the husband over the wife at one part of their common feeling as at any other. You introduce no change of relation. They said that Mr. Moulton had an animosity excited as of a particular date. Well, that is to be remarked in its proper place. What he was doing—what he was really doing in the way of statements to other people, or how many minds that he influenced to shape things for the purposes then, at that time, we are not responsible for; we had not furnished him with any certificate of credit or freedom from the imputation during this period, not in the least; we are finding out now by the aid of a court of justice, and under sworn testimony, in which they all have an opportunity to speak, what was going on all the while. Now, they undertake to prove what was going on at a particular time by the statements of this married woman, made to her uncle at the time. What change of attitude is there? Why, if your Honor please, just look at the proposition. The parties go on in matters of contract, and in matters of conduct, and there comes a litigation and a suit is brought. Then they become hostile; then they differ; then they oppose one another, and they oppose one another in testimony. Now, it is suggested that it is competent for either of them to eke out his testimony against the other by showing that while they were going on under the contract, without quarrel, or in the conduct that becomes the subject of controversy without quarrel, they take the same view of it, and express themselves to their neighbors in the same manner that they have testified under oath. Where are you going to draw the line? Parties oppose one another too frequently under our present system of evidence. They, it is said, did not have that opposition of view until they came into court, and before they come into court there is a situation in which this hostility does not exist; therefore there is a change of relation when they came into court; therefore what either of them said to his neighbors and his friends out of court before they got into an attitude of hostility is evidence. Now, that is the old story, whether you can corroborate testimony in court by concurring statements out of court. It never was pretended that you could do so, unil you had contradicted, under the rules of evidence, the statements in court, not by a statement in court of other witnesses, but by the statement out of court of the witnesses whose testimony you impugn—that you may bring in concurrent statements of witnesses whose testimony was thus attacked. There is no such rule in this State or England now. Then, as I say, there has been said that if, to the old situation of contradiction out of court proved against a witness under the rules of evidence, you could add an element of imputation of influence that had supervened, or of an attitude that had justified or encouraged the present statements, that of this witness thus affected might fall back, in a limited degree, upon the old provision of showing statements out of court before the alleged change of attitude. But that must be a change, not in the disposition of the witness, not in the situation merely *ante litem motam*. That has never been pretended, because that would bring you up to the situation that the parties were in before they disagreed, and would break up entirely the rule of evidence that has been so carefully guarded about hearsay. Mrs. Moulton was the wife of Mr. Moulton; Mr. Moulton was the friend of Mr. Tilton. Mr. Moulton was the manager of this interest and attitude of Mr. Tilton through the entire period, as well as when they came into litigation, and there is no pretense that there is a change of situation, except a change of disposition in the case, and a change of disposition is not permitted as the basis for the introduction of any such evidence. Now, the section of Taylor which, I think, is taken bodily from Greenleaf, is this:

"Where evidence of contradictory statements, or of other improper conduct on the part of a witness has been either elicited from him on cross-examination, or obtained from other witnesses with the view to impeach his veracity, his general character for truth being thus in some sort put in issue, it has been deemed reasonable to admit general evidence that he is a man of strict integrity and scrupulous regard for truth. But evidence that he has on other occasions made statements similar to what he has testified in the cause is not admissible unless he be charged with a design to misrepresent in consequence of his relation to the party or to the cause, in which case it may be proper to know that he has made a similar statement before the relation existed."

Not that there is a disposition now which has enlisted a witness on one side of a controversy, and who formerly had not that disposition, but, when it is imputed that his relation to the part or to the cause in which it may be proper to know that he has made a similar statement before that relation existed. But Mrs. Moulton's relation to the party, Tilton, and to the cause, as between these parties, to wit, her relation as wife of Mr. Moulton, remains the same during all stages of this transaction. That is all, I believe, of this section that applies. Now, in the case of The King vs. Parker, 3d Douglass, marginal 242, Fuller, Justice, says:

"That evidence was clearly inadmissible, not being upon oath; and that whether Fowler expressed himself by words or by signs or by gestures made no difference. As to the other ground, he said that the information of Fowler was not read as evidence for the defendant; but if it had been, it was not settled that what a witness said, not upon oath, would not be admitted to confirm what he said upon oath, and that the case of Lutterell against Reynell and the passage cited from Hawkins were not law."

Now, the first case recognizing the *ensemble* is the case of The People against Vane.

"Evidence that a witness on previous occasions gave the same relation of facts to which he testifies when examined on the trial of a cause is admissible where a witness is impeached, either by adversary testimony or upon cross-examination, even upon direct examination, as where he admits that he was an accomplice in the crime of which he proves neither to have been guilty."

Well, that case has been withdrawn. We won't comment upon it.

Mr. Beach—Who has withdrawn it?

Mr. Evarts—The Court.

Mr. Morris—Not at all.

Mr. Evarts—You will have an opportunity to reply to me.

Mr. Beach—I thought you said it was not necessary to comment upon it.

Mr. Evarts—Not upon it in the case, because it has been withdrawn. I am going to show it was withdrawn. You wouldn't want me to comment upon a case that has been withdrawn.

Mr. Beach—I suppose saying it has been withdrawn is commenting upon the case.

Mr. Evarts—Well, I am ready to submit to all kinds of personal criticism, if you desire, at any stage of the case.

Mr. Beach—It is no criticism.

Mr. Evarts—I stated that the case had been withdrawn from our jurisprudence by subsequent legislation.

Mr. Beach—There is no use saying anything about it.

Mr. Evarts—It may be of uso in the hardness of your hearts to show you what cases withdrew it.

Mr. Fullerton—You will have a hard case to do it.

Mr. Evarts—Nothing in that case that goes as far as you contend for, and I don't propose to consider how far a case goes that has been overruled. That is my proposition.

Mr. Fullerton—Well, it has not been overruled on that point. That is our proposition.

Mr. Evarts—It will be quite in time for you to say that when you make your reply.

Mr. Fullerton—I will say it over again then.

Mr. Evarts—Now, Robb against Hackley, in 23 Wendell, where Bronson gives an opinion, and gives it as—

"A general and almost universal rule, evidence of what the witness has said out of court cannot be received to fortify his testimony. It violates the first principle in the law of evidence to allow a party to be affected either in his person or his property by the declarations of a witness made without oath. But, besides, it can be no confirmation of what the witness has said on oath, to show that he has made similar declarations when under no such solemn obligation to speak the truth. It is no answer to say that such evidence will not be material to gain credit, and consequently will do no harm. Evidence should not be given to the jury which they are not at liberty to believe. The Referee was probably governed in receiving the evidence by the language of the learned Chief Justice in The People vs. Vane, 12 Wendell, 78, but that case does not necessarily go beyond deciding that the testimony of an accomplice in crime may be corroborated by showing that when first arrested he gave the same relation of the facts which he had given on oath upon the trial."

I don't think any one will pretend that that is the law of the State now.

"The fact that the accomplice was called as a witness for the people gave rise to the inference that he was criminating the defendant for the purpose of exempting himself from prosecution for the larceny. It might, therefore, be proper to show that he had given the same account of the matter at a time when there was no such motive for making a false accusation. If when first arrested, and when he had no expectation of personal exemption, he had frankly disclosed the whole matters, that might tend to confirm his subsequent repetition of the same statement on oath. This brings the case, with an acknowledged exception, to the general rule that the testimony of a contradicted, impeached, or discredited witness cannot be confirmed by moving that he has made similar declarations out of court."

A recess was then taken.

AFTER RECESS.

The court having reassembled, Mr. Fullerton said: If your Honor please, Mr. Bell has been kind enough to inclose me the note spoken of in his testimony, and it is dated Dec. 15, 1870. This would fix the date of the interview between himself and Mr. Beecher. It is suggested that I read the note itself in evidence, and I will do so:

My dear Mr. Bell:

Will you stop in at 124 (old No. 182) on your way over? Important. Truly yours, H. W. B.

Dec. 15, 1870.

MR. EVARTS RESUMES HIS ARGUMENT.

Mr. Evarts—The learned court, by Judge Manson, proceeds, after considering some of the authorities which have been referred to by my friend, Gen. Pryor, to say:

"But this most dangerous doctrine was long since utterly disposed of in England, although the case in which it was first formally overruled has been but recently published."

The Judge says:

"It is now settled that what a witness says when he is not upon oath, is not to be admitted to contradict what he says when he is upon oath. Since the decision referred to, I find no authority in the English books in favor of receiving this kind of evidence, but under some such special circumstances as have been already mentioned."

Judge Starkey says, in commenting upon this case:

"It seems that the declaration of a witness cannot be confirmed by proof that he has given the same statement before, even although it has been proved that he has given a different account. The mere declaration of a fact is not evidence."

It is not necessary to consider further the English cases referred to, but to show that there is no tendency in this class of evidence to reinstate a witness when he has been contradicted. The court further says that—

"It must be observed that the representation, without oath, can scarcely be considered as any confirmation of statements made under oath. It is the oath that confirms. The bare assertion requires confirmation. The probability is that in almost every case the witness who swears to certain facts at the time has been heard to assert the same facts before the trial; and it is not so much in support of his character to show that he has given the same account, as it would be to his discredit if he had ever given a different one. The imputation upon his veracity comes from the fact that he has contradicted himself; and this is not to be explained by evidence in the case. If a witness has made a statement a hundred times in one way, and a hundred times in another way before the trial, the only inference must be that he has utterly destroyed all title to credit."

Then the Judge proceeds to say that some of the American courts have admitted this kind of evidence, but adds that the decisions admitting such evidence are based upon English authorities, which are no longer respected in Westminster Hall. He then says:

"I fail to discover anything to shake my conviction that this kind of evidence is of a dangerous tendency, and ought not to be received except in some such special instances as have been already noticed. We have not yet departed from that English landmark in the law of evidence which requires witnesses in all cases to speak under the solemn sanction of an oath, and I am unwilling to imperil the lives of people or the rights in property of individuals by adopting a contrary doctrine."

In 24 Wendell, the same learned court, by Cowan, J., says:

"The reception of Barty's statement in confirmation of his testimony was erroneous."

Your Honor will see that all that has ever been pretended for this rule was that when a witness has been impeached or contradicted, by showing statements out of court contrary to that he has testified in court, that there was a notion that you might bring him out by showing that he has not told the same story out of court that he told in; but as the court in 24 Wendell says:

"That doctrine we have discarded, and, *a fortiori*, do we reject all confirmatory evidence of statements of a witness, where the contradiction is not between his various statements of the same story, but between contradictions by other witnesses, who told the opposite story."

Your Honor sees at once that this is the most pernicious and dangerous form of hearsay evidence; for it is hearsay evidence that is created by the witness in advance of his examination. It is a reproduction, by hearsay, of his own statements, which never could be testimony *per se* if he were not a witness; and yet they are brought in to be evidence by the fact that he becomes a witness; and thus, in the case, and under oath, he is allowed to corroborate himself by hearsay evidence that he himself has created before he came on to the stand. Nothing could be more hurtful than that. Where will you find, in these authorities, anything to recognize what is called "special circumstances?" In Smith vs. Stickney, (17 Barbour,) Judge Wells gives the opinion of the General Term. The action was brought by the respondents against the appellant to recover the sum of $65 50 for work and labor in building some sort of a dam. The defendant answered the complaint and the plaintiff replied. The action was referred to three referees, who heard the case, and made report that there was due from the defendant to the plaintiff the sum of $72. From that judgment the defendant appealed. Upon the trial before the referees the plaintiff's principal witness to prove his claim was his brother, John Smith. It appeared by his evidence that the plaintiff sawed for the defendant in the saw mill of the latter 133,000 feet of lumber; that the witness worked for the plaintiff in sawing lumber at $18 per month; that he had no interest in the sawing, and that the sawing was worth fifty cents per 1,000 feet. Other evidence tended to show that the sawing was done by agreement for 3s. 6d. The only question which seemed to be much litigated at the trial was whether the sawing was done by the plaintiff and the witness, John Smith, jointly, for the defendant, with a view of enabling the defendant to insist that an action in the name of the plaintiff alone was misconceived, and that John Smith should have been made a party plaintiff. The witness, John Smith, was interrogated as to whether he had ever made statements to various individuals mentioned, to the effect that he and the plaintiff had taken the job of sawing together, and had performed the labor jointly under such an arrangement with the plaintiff; all which statements he either denied, or stated that he did not recollect of making. That is, he was asked if he had said out of court that this was a joint interest of himself and his brother, whereas he had testified, in court, that it was his brother's interest. This was the point directly in issue, and upon which it was competent to contradict the witness. The defendant accordingly called a number of the individuals referred to, some of whom materially contradicted the witness, and testified that he had made statements to the effect that the sawing in question was done by agreement, jointly, by the said John Smith and the plaintiff. With a view of restoring the credit of the witness, which it was claimed was thus impaired, the plaintiff offered to prove that he had previously, and when not under oath, made declarations which were consistent with his testimony on the trial, in respect to the point in question. This was objected to, the objection overruled, and the evidence so offered was received. The Court held that in this the referees erred, and stated that it may be regarded as the settled law, that what a witness has said out of court cannot be received to fortify his evidence in court. The court adds that they can perceive nothing in the present case to make it an exception to the general rule; that the witness has sustained but one relation to the party or to the cause, and that relation has no time been changed—that is, he was his brother, and his employe, and there was no change of relation to furnish the basis of a change to add credit to outside statements, because they had arisen antecedent to a relation which was supposed to be founded upon an untruthful statement of the relation. The latest case, perhaps, on this point is that of Butler vs. Ludlow, (35 Barb., 293,) where, under somewhat similar circumstances, the general rule was adhered to. Now, your Honor will see that all that is here pretended is that, in the first place, Mr. Beecher, as a witness, has said, by contradicting the statement of the witness, Mrs. Moulton, that she has never said certain things to him; and then he adds to that statement that she never had said it, by saying that she never had said it of her own accord; but that she did say it to him is in evidence by her own statement. This expression of opinion goes for nothing—that is, it makes no change in the status of the witness. Now, with regard to Gen. Tracy's opening of this case, his statements do not make any change in the status of the witness. Mr. Moulton is charged, in the opening, with having been a party to certain hostile proceedings toward Mr. Beecher; and the wife does not come in in any relation excepting her marital relation, which, as we say, covers the entire case. Now, where is the line to be drawn? What is there in this proposition but an attempt to overthrow the rule of evidence that the Supreme Court has set up as so essential to the security of life, liberty, and property? Why, if your Honor please, the situation is this: It is alleged that the litigants in this suit, and the witnesses that go with them, now have a purpose of recovering in this action, (to give no further description of them,) and that, before they had any purpose of recovering, or of bringing this suit, they made a statement in confirmation of what has been said on the stand. Mr. Moulton and Mr. Tilton have both been made the subjects of testimony on our part of statements out of court, contrary to what they have said in court, upon this subject. Now, is it to be pretended that Mr. Moulton and Mr. Tilton are to be permitted to bring in statements that they have made at any time during the last four years, and before this suit was commenced, corroborative of the stories that they tell on the witness stand? If it is true of that witness, then it is true of either of these witnesses, and true of the witnesses on either side. And thus you come right back to the general proposition, that if the evidence of a witness on the stand is contradicted by the evidence of other witnesses on the stand, you may then give confirmatory aid to the evidence by showing that, out of court, the witness has made, to this and to that man, statements which agree with what he now states in court. You thus come back to the old proposition which has long been discarded.

MR. FULLERTON'S ARGUMENT.

Mr. Fullerton—If your Honor please, the force of the argument submitted by my learned associate has neither been broken nor impaired, in the slightest degree, by anything that has fallen from the counsel upon the other side. He has quoted no authorities, either from a report or from a text writer, which countervail in the slightest degree, the doctrine which was established by the argument of my associate, Gen. Pryor. This case has been presented upon the part of the defendant, as if we contended that the rule was that where a witness was sought to be impeached by proving first, that his character for truth and veracity was bad, or, in the second place, by proving statements out of court inconsistent with those made in court—that in such case, evidence could be introduced upon our behalf to show that the statements out of court had been made by the witness, consistent with those sworn to in court. Now that is not our proposition at all. I agree with the counsel upon the other side, that the rule in this State is that you cannot show in court statements of a witness out of court; that you cannot show, in court, the statements of a witness which are consistent with the statements made out of court.

Judge Neilson—In the progress of the case I have had occasion, at least once, to state that.

Mr. Fullerton—And your Honor will recollect that we immediately replied that that was the general rule, but that there were exceptions to it. Now what is the attitude of Mrs. Moulton in this case? What has she testified to, that is material to this issue, which it becomes necessary for us to sustain by showing that she told a similar story out of court? Attention is called to June 2, 1873. Mrs. Moulton alleges that at that time she had a conversation with Mr. Beecher, which she detailed upon the witness stand, and which statement constitutes a very important piece of evidence in this cause. How is this evidence met upon the other side? It is met, first, by what they call a contradiction upon the part of Mr. Beecher. He says that no such conversation was had; that it is all a fiction, an invention, upon the part of this witness; and he adds, further, that story was told by Mrs. Moulton under the influence of her husband, and that that influence was brought to bear upon his wife, after the relation of friendship which had so long existed between Mr. Moulton and Mr. Beecher was broken up. That, as your Honor will recollect, was late in the Summer of 1874. They put this case, therefore, upon the ground that Mrs. Moulton, overshadowed by her husband, has invented this story, and told it here, to the detriment of the defendant in this case, when there is no truth whatever in it. Now how are we to meet the proposition that that was a recent invention on the part of this witness, under the influence of her husband? How can we meet it so well as to show that, in 1873, in the month of June, and on the same day when the occurrence took place at Mr. Moulton's house, she told that story to third parties just as she has told it here? Does not that completely meet the accusation that it is an invention of a recent date? Now, I repeat, that we admit that, if they had impeached Mrs. Moulton by producing a witness to swear that her character for truth and veracity was not good, we could not then give any such evidence as we now propose. I admit that if they had been able to prove that Mrs. Moulton had stated out of court what was entirely inconsistent with her story in court, we could not give this evidence that we now propose. We do not disagree with regard to the general rule, but we do disagree with regard to the exception to that general rule. What is the exception? It was clearly stated by my associate in his argument, that where it is imputed to a witness that the story told in court, under oath, was a recent invention, and had its origin in an improper influence lately brought to bear upon the witness, that then you may overcome that imputation by showing the same story to have been told at a prior period, when the influence did not exist, or when the reasons for it did not exist. What is the law of this State upon this subject? It is very clear, very definite, and not easily misunderstood. The first case to which I will refer is that of The People vs. Vane. Your Honor will bear with me while I read somewhat from these authorities, to show exactly what questions arose, and what questions were decided therein. In this case the prisoner was put upon his trial for a crime. A witness by the name of W. was introduced to give evidence against him; and, in order to impeach that evidence, they suggested that he gave it for the purpose of purchasing immunity from punishment; that he acknowledged his complicity with the offender on trial with the purpose of courting favor with the people. He gave evidence tending to convict the prisoner, supposing that he himself could not be put upon trial for the same offense. In order to overcome that, the District Attorney offered to prove that the accomplice gave the same relation at the time that the offense was committed, and before either himself or the party on trial was put in jeopardy, and before there was any inducement to tell other than the truth. The evidence was admitted. That brought that case within the exception to the general rule. What does the court say with regard to it?

"The right of either party to support and fortify the testimony of his witnesses is essential to the preservation of the rights of individuals and of the public. When a witness is sworn to testify to the truth, his testimony *prima facie* is entitled to belief. If his character is attacked it may be supported. If his testimony is shown by other witnesses to be false or doubtful, other witnesses may be introduced to sustain the testimony as given. A witness may be introduced by the defendant to show that the plaintiff's witness has given a different account of a transaction about which he has been testifying. Another witness may be introduced to show that the witness has on a previous occasion given the same relation to which he has testified. But it is not proper to introduce this kind of testimony in the first instance. Should a party offer to do so it would show that he was conscious that his own witness required support, and without it was unworthy of belief. It is received only in reply, or in answer to doubts attempted to be raised by the other party, either by testimony or by cross-examination; or it may be proper when a witness stands impeached upon his own testimony. This witness shows on his direct examination that he was an accomplice. His testimony is, therefore, suspicious. It comes from a tainted source, and may well be doubted. In such a case it seems to me that the principle applies that a witness who is impeached may be supported."

Your Honor will perceive that the Judge in deciding that question went beyond what was necessary to accomplish that object, because he decided not only that a witness could be supported and sustained in such a case, but that he could be supported and sustained where his character was impeached for truth and veracity by direct evidence, or where it was incidentally impeached by showing that he told different stories out of court. He did not administer the exception to the general rule, as we contend for it, and as it was laid down in subsequent cases. Now, that case is nowhere directly overruled, but your Honor will observe that the decision in that case has been commented upon in several other cases. It came under review in the case of Robb vs. Hackley, (23 Wendell.) In dealing with the case in 12 Wendell, (The People vs. Vane,) the learned Judge used these observations:

"The Referee was probably governed in receiving the evidence by the language of the late Chief Justice in The People vs. Vane, (12 Wendell, 78,) but that case does not necessarily go beyond deciding that the testimony of an accomplice in crime may be corroborated by showing that when first arrested he gave the same relation of facts that he has given upon oath upon the trial. The fact that the accomplice was called as a witness possibly gave rise to the inference that he was criminating the defendant for the purpose of exempting himself from prosecution. It might, therefore, be proper to show that he had given the same account of the matter at a time when there was no such motive for making a false accusation. If, when first arrested, he had frankly disclosed the whole matter, that might tend to confirm his subsequent repetition of the same statement on oath. This brings the case within the acknowledged exception to the general rule, that the testimony of a contradicted, impeached, or discredited witness cannot be confirmed by proving that he has made similar declarations out of court."

Am I not right in saying that the case of The People vs. Vane is sustained and approved by this case in 23 Wendell, so far as it may be regarded as a decision of the case in question, or which came up for review in that action? It is nowhere repealed or reversed. In this connection I wish to refer your Honor also to the case in 17 Barbour, where the opinion is delivered by Mr. Justice Wells. The head-note of that case is this:

"Where a witness impeached by proof that he has made statements on other occasions inconsistent with his testimony, evidence that he has at different times made statements similar to what he has testified in the case cannot be received to fortify his testimony."

I will read from the opinion in this case for the purpose of showing in what light Judge Wells regarded this decision in The People vs. Vane, and the case of Robb vs. Hackley, to which I have referred. The learned Judge says:

"The witness was inquired of whether he had made statements to various individuals mentioned, to the effect that he and the plaintiff had taken the job of sawing together, and had performed labor jointly under such arrangement with the plaintiff, all of which he either denied or stated that he did not recollect of making. This was upon a point directly in issue, and upon which he was competent to contradict the witnesses. The defendant accordingly called a number of the individuals referred to, some of whom materially contradicted the witness, and testified that he had made statements the import of which was that the sawing in question was done under the joint arrangement between the said John Smith and the plaintiff. With a view of restoring the credit of the witness, which, it was claimed, was thus impaired, the plaintiff offered to prove that he had previously, when not under oath, made declarations consistent with his testimony on the trial. Upon the point in question. This was objected to by the plaintiff's counsel; the objection was overruled by the Referee, and the evidence so offered was received. In this we think the Referee erred. Mr. Greenleaf, in his Treatise on Evidence, states that where evidence of contradictory statements is offered, or other evidence to impeach the veracity of a witness, his general character for truth/fulness being put in question, it has been deemed reasonable to admit evidence showing that he is a man of strict integrity; but evidence showing that he has on other occasions made statements similar to what he has testified in the case, is not admissible unless where a design to misrepresent is charged upon the witness in consequence of his relation to the party or to the case, in which event it may be proper to show that he has made similar statements before that relation existed."

There the learned Judge recognized this exception to the general rule:

"So much of the rule here stated as allows general evidence of good character, in reply to evidence of contradictory statements by the witness, or other facts offered by way of impeaching the veracity of the witness, has not been followed in this State."

Then he quotes the case of The People vs. ——, and then continues:

"But in relation to the residue, and which is all that applies to the question under consideration, I believe that it may be regarded as the settled law as thus substantially laid down by Mr. Starkey."

Then he quotes the authorities already referred to, and adds: In Robb vs. Hackley, (23 Wendell, 50,) the Justice says:

"The general and almost universal rule of evidence is, that what a witness has said out of court cannot be received to fortify his evidence. We can see n

LAW REPORTS.

THE ST. PAUL AND PACIFIC RAILS.

DECISION OF JUDGE DANIELS—MOOREHEAD HAD NO RIGHT TO PLEDGE THE IRON—THE GUARANTEE AND INDEMNITY COMPANY AND THE SECRETARY OF THE NAVY INNOCENT PURCHASERS.

A decision was rendered yesterday in the Supreme Court, General Term, in the case of Lucas Weetjen and others against the St. Paul and Pacific Railroad Company and others. This was an action brought by the railroad company in the form of an injunction to restrain Mr. Weetjen and others from removing or transferring several thousand tons of railroad iron from the store-house of Woodruff, Robinson & Co. The facts of the case as elicited when the motion to set aside the injunction was argued were as follows: The St. Paul and Pacific Railroad Company issued mortgages for several millions of dollars on bonds, a large portion of which were represented by Lucas Weetjen & Co., who are German bankers. With money raised by mortgaging the bonds, several thousand tons of iron rails were bought in Europe and sent to this country. When the rails arrived here one Moorehead, connected with the firm of Cooke & Co., acting under the authority of the Directors of the railroad company, pledged a large portion of the iron to the firm of Jay Cooke & Co. for sums of money advanced. This firm, after coming into possession of this iron, repledged it to others, the larger portion going to Jay Cooke, McCullough & Co., the London branch of the American house. This latter firm was at the time European Pay-masters for the American Navy, and suspecting that the deposits were to be transferred from their bank, pledged a portion of the iron coming to them to the Secretary of the Navy to prevent such removal; and they also pledged more of the iron to obtain a further deposit of £100,000, which was advanced to them on the faith of the iron so pledged. An appeal was taken from the decision rendered in the Supreme Court, Chambers, and the case came up on appeal before the General Term of the Supreme Court, before Justices Davis, Brady, and Daniels. The decision, as rendered yesterday, Judge Daniels writing the opinion, was substantially as follows: The court held, in the first place, that Moorehead had no right, under authority of law, to pledge any of the iron; that the firms of Jay Cooke & Co. and Jay Cooke, McCullough & Co. are chargeable with all Moorehead's knowledge, and although they accepted the pledge of the iron from him they had no right to it, that those who were unacquainted with Moorehead's want of authority, and who actually advanced money on the iron pledged by him, were innocent purchasers, and have a right to foreclose the lien by selling the iron to reimburse themselves; that the New-York Guaranty and Indemnity Company, (which advanced money,) stand in the light of innocent purchasers, and the injunction must be vacated as to them; and, further, that the Secretary of the Navy stands in the same position as to iron pledged to him as an advance, and the injunction would be vacated as to him if it appeared upon the papers that the advance had not been repaid; but as to the portion of the iron pledged to him for money then due to Cooke, McCullough & Co., it was not for money advanced, and he stands in no better light than that firm. The Court ordered accordingly.

A CHARGE OF MURDER NOT SUSTAINED.

John H. Brandow, pilot of the Syracuse, was arrested and arraigned at the Tombs Police Court yesterday on a charge of murder, on complaint of John Nalley, one of the two men in the row-boat which was capsized by that steamer on the East River on Sunday afternoon. The charge was that he intentionally caused the death of Richard Brown, who was drowned. Nalley was sworn as a witness before Justice Otterbourg, but his testimony failed to sustain the charge, for he swore that it was owing to Brown's unskillful rowing that the collision occurred, and that after the boat was struck Brown might have saved himself easily had he not lost his presence of mind. The pilot stated to the court that he did all in his power to avoid the collision, by calling out to the men in the boat and checking the steamer's headway as soon as possible, but that it was owing to the bad management of the row-boat and the tide forcing it against the bow of the steamer that the boat was run down. Capt. Orlando B. Titus, of the steamer Capt. Patrick O'Conner, of the barge George Monteith, which was being towed by the steamer at the time of the collision, and the first mate and second pilot of the steamer and a number of deck hands on both vessels gave testimony supporting the pilot's statement. Justice Otterbourg at 5:30 o'clock would send the papers to the District Attorney for him to take such action as he saw fit, holding the pilot in the meantime. It is probable that the pilot will be bailed to-day, to await the result of the verdict of a Coroner's jury in case Brown's body is recovered.

NECESSITY OF A NEW JUDGE.

District Attorney Phelps states that he, as well as Recorder Hackett and City Judge Sutherland, is of opinion that the election of an additional Judge of the Court of General Sessions, the bill providing for which has just been signed by the Governor, is a public necessity, and will be productive of much benefit. Notwithstanding the large amount of business disposed of by the present Judges of the Court of General Sessions, the daily increase of crime, consequent on the increase of the City's population, creates additional labor for Judges, and largely increases the business of the District Attorney's office. Prison cases were speedily disposed of; but the jail cases, as might naturally be expected, were allowed to lie over until more urgent matters had been disposed of. With a second term of the court in continuous session, however, the accumulated business would be rapidly disposed of, and prisoners brought to trial immediately after they had been indicted. No doubt an additional Judge was needed, and the bill, he thought, was one which should meet with favor from all those anxious for the prompt administration of justice. It was a great improvement on the Wachner bill, which provided for the election of two additional Judges, with clerks and attendants, and all the cumbrous and expensive machinery of a distinct criminal court. To that bill he was opposed, as unnecessary, but the present measure he considered amply sufficient to meet the growing requirements of the City. District Attorney Phelps added that, although favorable to the bill just signed, he had made no communications to that effect to the Governor, notwithstanding the statements that he had done so.

DARING STREET ROBBERIES.

James Raymond, one of a gang of thieves who hang around Bleecker street, was placed on trial for larceny from the person in the Court of General Sessions yesterday. From the evidence produced by District Attorney Rollins it appeared that on the evening of the 1st inst., Mr. Elijah W. Whipple, of No. 272 West Eleventh street, was standing on the corner of Madison avenue and Twenty-fifth street, when he was accosted by Raymond, who asked the time. Mr. Whipple foolishly took out his watch to tell the time, whereupon it was snatched by Raymond, who at the same moment took $8 in money and a memorandum from the vest pocket of Mr. Whipple and ran off at full speed. Mr. Whipple raised an outcry and pursued the thief, who was finally captured by Officer Keating. On being searched the watch of Mr. Whipple, which was a presentation gift, together with the money and memorandum, were found on the person of Raymond. The prisoner was found guilty and sentenced by Judge Sutherland to six years in State Prison. James S. Williamson, another street thief, charged with snatching a plated watch-chain worth $1, which the thief evidently supposed was gold, from the person of William C. Murphy, of Williamsburg, while the latter was walking with some friends on Bleecker street, on the night of the 27th of April, was found guilty of petit larceny from the person. Judge Sutherland sent the prisoner to State Prison for four years.

VERDICT FOR THE GOVERNMENT IN THE JACOBY CIGAR CASE.

In the case in which 10,000 cigars, a quantity of leaf tobacco, implements, scraps, cuttings, &c., seized at No. 170 Division street, the property of Louis Jacoby and Julius Moll, were sought to be condemned in the United States District Court, before Judge Blatchford, the jury found a verdict, yesterday, for the Government, condemning all the property, which was valued at $600, except $48 worth of scraps and cuttings, which there was no apparent intent to use in the manufacture of cigars. An appeal is to be taken; but this verdict operates for the present to work a forfeiture in this district in all cases where domestic cigars are packed in boxes bearing imitation Custom-house stamps. Assistant District Attorney Sherman for the Government, and Messrs. Spingarn & Lauterback for claimants.

SUIT AGAINST AN INFIRMARY.

A suit was brought yesterday in Part 2, Supreme Court, Justice Van Brunt presiding, against the New-York Eye and Ear Infirmary for the recovery of $10,000 damages. Edward P. Doyle, a youth suffering from an eye disease, was placed in this infirmary for treatment. It is alleged by his guardian, who brings the suit, that the disease with which he was afflicted at the time he entered the institution was only a mild inflammation of the eye, and that it was carelessly treated, an application being made with a certain brush by which contagious ophthalmia was communicated, resulting in the loss of sight in both eyes. The case will be continued to-day.

A BRIDGE CONTRACT.

Some time since a Mr. Imhoff obtained a contract from the Department of Parks to repair the bridge at Macomb's Dam. He agreed to do the work for a sum less than $1,000, but when he inspected the bridge he found that it was in a dilapidated condition. After making all the repairs he deemed necessary to the strength of the structure, he found, as he claims, that not less than $2,900 would cover his expenses. He sent in a bill to Controller Green for that amount, and the Controller refused to pay it on the ground that work to cost over $1,000 should be advertised before it was let out by contract. Mr. Imhoff applied to Judge Barrett, sitting in Supreme Court, Chambers, for a mandamus to compel the Controller to pay the bill. Judge Barrett yesterday rendered his decision denying the application on the ground that a mandamus could not be granted as the full facts in the case had not been elicited and could only be brought out on a trial, and therefore the case should be decided by a trial.

AN ECCENTRIC CRIMINAL.

THE COUNTERFEITER MASON'S TRIP TO ALBANY—HE PROMISES TO BE AT LIBERTY TO EAT HIS CHRISTMAS DINNER AND DRINK CONFUSION TO COL. WASHBURN.

George Albert Mason, the convicted counterfeiter, started on the 4 o'clock P. M. train on Saturday for the Albany Penitentiary, better known to criminals as "Pillsbury's Hotel," to serve out his twelve years' sentence. He was in charge of Deputy Marshals Dowley and Holmes and a keeper connected with the Marshal's office. On the cars he wanted his handcuffs removed, but the officers refused his request, knowing the dangerous character of their prisoner. He then began to harangue the passengers in his characteristic way, asserting his innocence of the crime for which he was convicted, and denouncing Col. Washburn in unmeasured terms. He said that he would be out of jail before Christmas, and would kill Washburn as soon as he got out. When asked how he expected to get out so soon, he answered, in a significant manner, that that was all right, but it was a matter he should keep to himself. He is extremely vain and egotistical, and in reply to a question said: "I ought to have been given Washburne's place, for I was entitled to it, and if I had gotten it I would have rid the United States of every counterfeiter of any note within thirty days." On arriving at Albany he eagerly asked for the evening papers, to see what was said about him, and was in high spirits on finding that one of them, by mistake, spoke of him as "Col. George Albert Mason." "Yes," said he, "they call me Colonel now by mistake, but they will call me General soon, in reality." He was taken to the Delavan House, where he took supper. He laughed, joked, boasted, and denounced, in his usual vein, during the meal. It was midnight when he reached the jail, after a lonely carriage ride, but he was in good spirits when he bid the officers "good-bye," and promised to eat his Christmas dinner with them and "get drunk as blazes, drinking confusion to Washburn and his gang."

STABBING A POLICE OFFICER.

Edward B. Curry, a painter living at No. 1,166 Second avenue, was placed on trial yesterday by District Attorney Rollins, in the Court of General Sessions charged with felonious assault with intent to kill. It appeared that on the night of the 3d of April, Curry went to the Nineteenth Precinct Station-house and informed Capt. Mount that he was afraid to proceed home lest he should be arrested by Officer Gorman, the policeman on duty near his residence, who, he said, entertained a grudge against him. Capt. Mount detailed Roundsman William Webb, a forbearing and trustworthy officer, to accompany Curry to his home, and on the way thither the two conversed in a friendly manner. On reaching the hallway of Curry's residence the roundsman advised him to go to bed, whereupon the former, in return for the officer's kindness drew, a dirk knife and exclaiming, "Now I've got you" stabbed his protector in the left arm, mangling it terribly from the elbow to the wrist, and inflicting wounds from the effects of which the officer's life was at one time placed in jeopardy. Officer Norris, who came to the assistance of the wounded roundsman, found the murderous dirk covered with blood on the stairway of Curry's residence, and arrested the accused as he was about to make his escape by the roof. A few days since, on being arraigned, Curry pleaded guilty, but subsequently withdrew his plea and went to trial. The jury found the prisoner guilty of assault with a dangerous weapon with intent to do bodily harm, and he was sentenced by Judge Sutherland to five years in State Prison at hard labor.

A YOUTHFUL FORGER.

On March 31 last, William Pieper, aged nineteen years, the son of Frederick Pieper, of No. 227 Grand street, passed upon Flavis J. Allen, of No. 24 Lexington avenue, a worthless check for $73, in payment of an account of $18 due Mr. Allen by Mr. Pieper, and received $55 in change. The check purported to be drawn by one G. B. Moore upon the Oriental Bank, and Mr. Pieper's indorsement was forged thereto. A warrant was issued from the Yorkville Police Court on April 8 for young Pieper, but Officer Leary, to whom it was intrusted for service, was unable to find the person until yesterday, when he learned that to prevent his son from undergoing a term in prison for forgery Mr. Pieper had caused his arrest as a willful and disobedient child, and that Justice Smith at Essex Market had sen enced him to the schoolship. The boy was, however, still in the Essex Market Prison. He was taken from his cell and conveyed before Justice Kasmire, at the Yorkville Police Court, who committed him for trial in default of $1,500 bail.

SUPREME COURT DECISIONS.

In the Supreme Court, General Term, before Judges Davis, Brady, and Daniels, the following decisions were rendered yesterday. The case of Samuel Smith, who sued the City for damages, caused by the overflow of a sewer in One Hundred and Twenty-ninth street, was decided in favor of the City, on the ground that the sewer was not defective, and that no notice had been served upon the proper authorities of the overflow.

A decision was rendered in the case of Marsh and others vs. The First National Bank of Mobile. The facts in this case, as were elicited, are that a draft bill was sent to this City by the bank, accompanied by a bill of lading, for a large amount of cotton. The bill was presented by the agent of the Bank and was accepted, although at the time the cotton had not been paid for by the drawers of the draft. The court decided that at the time the draft was presented the bank knew that the cotton had not been paid for; that the sellers of the cotton were reclaiming it, and the bank, having misled the plaintiffs in accepting the draft, was liable for damages accruing from such acceptance.

In the case of Trowbridge, Administrator of Harden, against the Tax Commissioners, it was held that the stock of the Quicksilver Mining Company, being stock of a home corporation, was not taxable within the State limits, as the law holds that stock of foreign corporations only are taxable.

DECISIONS.

SUPREME COURT-CHAMBERS.

By Judge Lawrence.

Lee vs. Hastee.—I think that this motion was prematurely made, was such as the plaintiff had not complied with the demand for a copy of the account, but had obtained an order extending the time for ten days only, only one day before this motion was noticed. The service of the account may lead to an amendment of the defendant's answer, and I do not think that his right to amend can be cut off by getting an extension of the time to serve the account, which extension will not expose the right of defendant to amend as of course has expired. Motion denied without costs.

Kiernan vs. Beaver.—An examination of the pleadings and affidavits convince me that it will take much more than an hour to try this case. Motion denied without costs.

Oelrichs vs. Madder Color Company et al.—An allowance of $150 is granted to the defendant, Scheib, and plaintiffs are allowed to discontinue on payment of costs and said allowance.

Marshall vs. Macy.—Motion to vacate order of May 3, 1875, granted.

Nelson vs. Applegate.—Motion to place cause on Special Circuit calendar is granted; cause set down for trial for the 14th.

Schafer vs. The North and South Railroad Company.—I cannot distinguish this case in principle from Coddington vs. Gilbert, (17 N. Y., 489,) and must therefore hold that the bonds in question are not property of the judgment debtors to be applied in satisfaction of the judgment.

Meigs vs. Tomlinson.—Opinion.

Paine vs. Velmerr.—Counsel will find the decision upon the various objections to the question put to the witness marked upon the margin of the page opposite to each of the objections.

Carson vs. Conover.—I think that this case should be referred under the authority of Welsh vs. Darragh (53 N. Y., page 590.) Ordered to that effect.

Granted.—In the matter of Spears; in the matter of Burke; in the matter of Harlem Protestant Episcopal Church; in the matter of Budelman; in the matter of Michael; in the matter of the North American Insurance Company; Cipriano vs. Gazzam, 1 and 2; in the matter of Gerrity.

Wright vs. Wright.—Under the circumstances, as disclosed by the plaintiff's affidavit in opposition to the motion, the apparent neglect of the plaintiff in prosecuting this action seems to me to be justified. The motion is denied without costs, with leave to the defendant to renew the motion unless the cause is moved before the Referee prior to the first Monday of July, 1875.

Goodwin vs. Conklin.—I am satisfied that it will be impossible to try this cause in an hour, and the motion to place this cause on the Special Circuit calendar is therefore without costs.

Martin vs. Stewart.—The motion for leave to file a supplemental complaint must be denied, with costs. The plaintiff seeks by way of supplemental complaint to set up a new cause of action and not matters in aid of the cause of action, stated in the original complaint. This he cannot be permitted to do. (Watson vs. Shilson, 17 Abb., p. 184; 2 Edwards, Chy. 114; 1 Hoffman, Chy. Pr. 396.)

In the matter of Cooke.—The affidavits annexed to the petition purport to have been verified before a Master in Chancery of the State of New-Jersey, but there is no certificate under the name or seal of any of the officers referred to in the act of 1869 (Chap. 133, Laws of 1869) specifying that the said Master in Chancery was at the time of taking said affidavits duly authorized to take the same, &c. Now are any of the requirements of said act as to the authentication of affidavits taken in another State complied with? (See also 1 Laws 1869, p. 241, and 2 R. S., p. 396; Edmunds, p. 412.)

Trewdell vs. Booth.—Memorandum.

Munster vs. Seligman.—I deny this motion on these ground: First—If the judgment which is pleaded by the defendant is a bar to the plaintiff's action it is unnecessary to make the cause more definite and certain. Second—If it is not a bar, then the remedy of the plaintiff is by demurrer. Third—The answer is but a sham answer. Fourth—It is not so clearly frivolous as to authorize the granting of judgment on that ground.

Wartzfelder vs. Meyers.—The motion to place this cause on the Special Circuit calendar denied without costs.

Hoppin vs. Cozzens.—The affidavit of Mr. South as to the service of two of the defendants is unverified and the signing of the decree must be deferred until the omission is supplied.

Wood vs. Conover.—The motion to strike out a portion of the answer as irrelevant or redundant is denied, with costs of motion.

Citizens' Insurance Company vs. Harris.—I feel constrained to deny these motions to strike out the defendant's answer as shown, on the authority of the cases of Mayland vs. Tyres, 45 N. Y., 281 and 284, and Thompson vs. The Erie Railway Company, 45 N. Y., 463, 472. The motions are therefore denied, but without costs, and I direct that the original answer in each of the cases be forthwith filed.

In the matter of the Second Avenue Methodist Episcopal Church.—In this case the notice is not of an application in the proofs already taken for the relief demanded in the petition, but for the taking of further proofs. I cannot, therefore, grant an order vacating the assessment on default, as the Corporation Counsel has not been served with notice of such an application.

Pope vs. Duncan.—Memorandum; Cummings vs. McMichael; Referee ordered; memorandum.

Jarley vs. The Mayor.—Application should be made at Circuit.

Michaelis Jena vs. Michaelis Jena.—Affidavits of absence should be more full, and the order should provide for deposit of papers in Post Office.

Blum vs. Beisterfeld.—The affidavit of Mr. Blum, on which the arrest is asked for, is unverified.

In the matter of Haney.—Should there not be a certificate of the Secretary of State to Commissioner's certificate? Chap. 270, Laws 1850.

Wheeler vs. Wheeler—Order granted.

Hazzard vs. Stevens.—Reference ordered.

Van Zile vs. Van Zile.—The affidavit must show that some efforts have been made to serve the defendant in this State.

Rudeau vs. Rudeau.—I do not think that this affidavit is sufficient to authorize an order of publication.

In the matter of Southwell.—The order has not been submitted.

Held by Judge Barrett.

Schuabel vs. Netter.—Motion denied, with $10 costs. Memorandum.

Clark vs. Deacon.—Motion denied, with $10 costs, with leave to renew upon verified papers, and upon payment of such costs.

Hieser vs. Asten.—Motion denied, with $10 costs.

Sixth National Bank vs. Chicago and Alton Railroad Company.—Motion granted; $10 costs to abide the event.

Imhof vs. Green.—I have given the relator's additional points for consideration, and have examined the acts to which he refers, but I still see no reason to doubt that the remedy is by action. The motion for a mandamus must therefore be denied with $10 costs.

Matter of Fourier et al.—Report of Referee confirmed, and order granted as amended.

Miller vs. Grautz.—Order settled as proposed by the plaintiff.

Wood vs. Moulton.—Motion for injunction denied and temporary injunction dissolved, with $10 costs.

Applebee vs. Odell.—Report confirmed and order granted, but without costs of this application, (except the Referee's fees,) as to the guardian acted on his own behalf, and is sufficiently remunerated by the order for payment which is made.

Clark vs. Coles.—The application is made upon an entire misconception of the office of a motion to make more definite and certain. The complaint is sufficiently definite and certain, and the motion must be denied, with $10 costs.

Wilkins vs. Crandell.—The Sheriff, Mr. Conner, certainly acted throughout in a very proper manner, and there was no cause whatever for the motion, so far as he is concerned; as to him, the motion must be denied with $10 costs. I wish I could say as much for the other parties, but I cannot on these papers. It looks as though the right of removal had been made use of as a means of private aggrandizement, which, if true, was an abuse of our process, quite apart from any question as to the regularity. But so serious a charge should not be lightly framed, and I think the witnesses on both sides should be cross-examined before a final adjudication. Let it therefore, as to Lanigan and O'Connell, be referred to John N. Lewis, Esq., to take any proofs which may be offered by either side, and to report with his opinion.

Du Pasquier vs. Squire.—The case is not sufficiently clear either way to justify its disposition upon affidavits alone. There should be a reference, so that the witnesses' knowledge can be tested by cross-examination and the facts upon both sides fully and completely brought out. Let it accordingly be referred to Charles H. Hildreth, Esq., to take proof of the facts set up in the respective affidavits upon both sides, and to report with his opinion. The motion to be reheard upon two days' notice upon the coming in of this report.

Martineau vs. La Forge.—Motion for injunction and Receiver granted, with $10 costs to abide the event.

Benedict vs. Wilmot Manufacturing Co.—In taking up this case for examination I find that the papers upon which the injunction sought to be dissolved was obtained are not submitted. These should be furnished, and the defendant's papers, which are submitted, should be copied, so that they may be easily read. This last suggestion applies to the defendant's brief as well.

Phelan vs. Walker & Co.—The confession is had under 7 How. R. R. 229, (which was affirmed at Special Term,) especially as the partnership had terminated, one partner cannot thus confess judgment against the firm. If judgment be sought without action, secs. 382 and 383 of the code must be strictly complied with by the defendant, that is, by each defendant. Motion granted as to the defendant, Peters, individually and as a member of the firm, with $10 costs.

SUPREME COURT—SPECIAL TERM.

By Judge Van Brunt.

Levinthal vs. Stevens et al.—Findings and decree settled and signed.

Gourley vs. Campbell.—Nagle et al. vs. McGuinness et al.—Findings signed.

The Christopher and Tenth Street Railroad Company vs. The Central Cross-Town Railroad Company.—Complaint dismissed with costs. See opinion.

Ratzer vs. Ratzer—The Mercantile National Bank of New-York vs. The Elias Sewing Machine Company et al.—Judgments for plaintiffs. See opinions.

Butterworth vs. Jay.—Demurrer overruled.

Mangam vs. Bishop.—Decree and findings signed.

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By Chief Justice Monell and Judge Speir.

Justice vs. Lang et al.—Judgment affirmed. Opinion by Monell; Speir, dissenting.

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Duryee vs. Jones.—Motion denied. The case is neither difficult nor extraordinary. Besides the statutory allowance under section 308 is quite sufficient.

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Willets vs. Kuhn et al.—Motion granted.

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Wireman vs. The Remington Sewing-machine Company.—Order settled.

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POLICE COURT NOTES.

Edward McGuire, of No. 254 Mott street, was arrested by Officer Nealis, of the Fourteenth Precinct, for brutally beating his wife Bridget with a club on Sunday night. The woman was taken to Bellevue Hospital, and McGuire was held yesterday afternoon at the Tombs Police Court to await the result of his wife's injuries.

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On the night of the 8th inst., the liquor store kept by George McGovern, at No. 741 Third avenue, was burglariously entered and cigars and liquors of the value of over $200 were stolen. Entrance was effected by breaking open a door leading from the barber-shop in the rear to the back room of the store. Detective Levins yesterday arrested Patrick Hawley, aged twenty-three, a shoemaker, of No. 201 East Forty-sixth street, and John Hughes, aged nineteen, of No. 321 East Forty-sixth street, a cigarmaker by occupation, and the stolen property was found in the possession of Hughes, who confessed that himself and Hawley were the burglars. The prisoners were arraigned before Justice Kasmire, at the Yorkville Police Court, and held for trial in $2,000 bail each.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS.

Held by Lawrence, J.

Nos.
8—Morey vs. Borger.
21—German - American Bank vs. P. & E. Coal Co.
22—German - American Bank vs. Williams' Mower & Reaper Co.
37—De Mott vs. Earl, &c.
38—Same v. Same.
39—Mentell vs. Nicholson.
68—Morange vs. Hymes, &c.
96—Harbison vs. Van Volkenburgh.
104—Wessa vs. Fisher, &c.
107—Lippincott vs. Gasham.
127—Harbison vs. Van Volkenburgh.
147—McKenley vs. Beasley, &c.
153—Bayles vs. Klersted.
160—Klersted, &c., vs. Bayles, &c.

SUPREME COURT—GENERAL TERM.

Held by Davis, P. J.—Brady and Daniels, JJ.

Nos.
126—People ex rel. P. M. S. S. Co. vs. Com. of Y. & A.
204—E. N. Y. & J. R. R. Co. vs. Elmore.
136—Gilman, ex'x, &c., vs. Gilman.
139—Gilman, Ex'x, &c., vs. Redington et al.
140—Brown vs. Geary et al., Ex'rs, imp'd, &c.
146—The People, &c., ex rel. Hogan vs. Flynn.
159—— vs. ——
162—— vs. ——
189—Livermore vs. Bushnell, imp'd, et al.
196—Bronson vs. Dimock.

SUPREME COURT—CIRCUIT—PART I.

Held by Donohue, J.

Nos.
843—Duncan vs. De Witt.
2893—Day vs. The Mayor, &c.
1483—Lange vs. Altenbrand et al.
861—Platt vs Stuart et al.
1531—Derby vs. Derby.
1579—Sherman vs. Hoffman et al.
1247—*Sun* Print. and Pub. Ass. vs. *Tribune* Ass.
1321½—Goodsell vs. Kensie.
981—Cunningham versus Martin et al.
1581—Gleon vs. Mull.
1695½—Bolte vs. Barstow.
1601—McCulloch et al. vs. Hoffman et al.
1615—Knobloch et al. vs. Sonneborn et al.
1619—Deutsche Bank vs. Sonneborn et al.
1157—Young vs. Hubbard.
1401—Rosman et al. vs. Mahon et al.
877—Averill vs. De Mott.
1763—Loaners' Bank vs. Jacoby et al.
843—Muller et al. vs. Bettner.
1443—Reilly vs. Reynolds.
1231—Van Nostrand vs. Gwynne.
1447—Bannon vs. Webster.
1467—Bannon vs. Hoffman.
1471—Board of Com. of Pilots vs. M. & C. D. Co.
1553½—Thorp versus The Mayor, &c.
1661—Whiteman vs. Leslie et al.

SUPREME COURT—CIRCUIT—PART II.

Held by Van Brunt, J.

Nos.
1 0—Willett &c. vs. Kipp et al.
1822—Creamer et al. vs. The Mayor, &c.
980—Mathers vs. Sewall.
1404—Powers et al. vs. Gross.
1414—Platt et al. Assignee, &c., vs. Mount.
1424—Claflin et al. vs. Quinby.
714—Macfarland vs. H. & N. Y. S. B. Co.
1438—Luxew vs. Julian.
1440—Wise et al. vs. Nicholson.
1448—Guardian Mut. Life Ins. Co. vs. Atlantic Mut. Bank of N. Y.
1454—Hager vs. Williamson.
1464—Brainard et al. vs. Scott.
1468—Hobbe et al. vs. Chemical Nat. Bank.

SUPREME COURT—CIRCUIT—PART III.

Held by Barrett, J.

Nos.
241—De Luce vs. Kelly, Sheriff, &c.
1305—Strang, Rec'r, &c., vs. Taintor.
1023—Oestrich et al. vs. Gilbert et al.
55—Hall vs. Wood et al.
1213—Cunningham et al. vs. Stokes et al.
2575—Delaney vs. Maloney.
823—Levi et al. vs. Morrison & B. Co.
215—First Nat. Bank of Richmond, Va., vs. Rosenbaum et al.
1119—Sloats vs. The Mayor, &c.

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SUPERIOR COURT—SPECIAL TERM.

Held by Van Vorst, J.

Nos.
4—Pease vs. Walsh.
40—Manilla vs. Williams.
1—Genter vs. Wilbur.
14—Emmerts vs. Ambler et al.
22—Stilwell vs. Kelly.

SUPERIOR COURT—GENERAL TERM.

Adjourned *sine die.*

MARINE COURT—TRIAL TERM—PART III.

Held by Alker, J.

Nos.
3327—Galway vs. Bond.
3449—Southard vs. Reed.
3450—Same vs. Same.
3885—Wolf vs. Dreshfeld.
3965—Macgregor vs. Cummings.
3555—Wise vs. Roberts.
3564—Wise vs. Mangam et al.
3559—Strant vs. Stoessel.
3659—Garett vs. Gesbert.
3470—Epstein vs. Levy.
3473—Whipman vs. Huzart et al.
3293—Gillrey et al. vs. McCauley.
3431—Dusenbury et al. vs. Gould et al.
1879—Ottenheimer vs. Stoessel.
1816—Huss vs. Carl.

COURT OF GENERAL SESSIONS.

Held by Sutherland, J.

William Ziegler, burglary.
Robert G. Stewart and Timothy J. Mulcare, burglary.
Edward Burns and Patrick Still, burglary.
James Welsh and John Clark, burglary.
Simon Smith, burglary.
George Edwards, burglary.
Owen Buckley, felonious assault and battery.
Ida Burger, grand larceny.
John Meyers and Melville Regenburg, grand larceny.
Jennie Steele, grand larceny.
Gustav Turbitz and Elvira Turbitz, grand larceny.
Margaret Cooney, grand larceny.
Jermiah Sullivan, grand larceny.
Peter Barg and Henry Zehvitz, grand larceny.
William H. Roberts, grand larceny.
Paul Hoyne, grand larceny.

PROTESTS AGAINST USURY.

The sixth annual meeting of the American Anti-Usury Society was held at Masonic Hall, in East Thirteenth street, yesterday. The meeting, which was announced to take place at 10 A. M., was considerably put back by the absence of some of the delegates, and it was near noon before it was called to order by Mr. Haywood, who was appointed temporary Chairman. On motion of Mr. Haywood, Mr. Edward Palmer, of this City, was elected Chairman. On taking the chair, Mr. Palmer stated the object of the meeting, and said that he would like to have it distinctly understood that in urging the abolition of usury or interest, the society does not ask any division of property or community of goods; but simply requests the wealthy to give up an old system of iniquity, which takes away the product of labor from the laboring people, who suffer most from the effects of the system. Mr. Ingalls, of this City, and Mr. E. H. Haywood, of Boston, also addressed the meeting to some length in the same strain as had the Chairman. After being in session for about an hour, the meeting adjourned in order to attend the convention of the Labor Reform League, which was in session in an adjoining room.

THE REAL ESTATE MARKET.

At the Exchange yesterday, Monday, May 10, by order of the Supreme Court, in foreclosure, J. N. Lewis, Esq., Referee, E. A. Lawrence & Co. sold the four-story brick stable with plot, 50 by 85, Nos. 172 and 174 Mercer street, east side, 80 feet south of Bleecker street, for $51,866, to W. C. Dewey, plaintiff in the legal action. The same firm also sold, under a similar Court decree, same Referee, a three-story and basement brown-stone-front house, with lot 15.10 by 100.11, on East One Hundred and Sixteenth street, south side, 206.8 feet west of Third avenue, for $8,100, to H. Naylor, a defendant in the foreclosure suit.

The New York Times.

TRIPLE SHEET.

NEW-YORK, TUESDAY, MAY 11, 1875.

AMUSEMENTS THIS EVENING.

BOOTH'S THEATRE.—Evadne.—Miss Clara Morris, Miss Blanche Grey, Mr. George Clarke, Mr. F. B. Warde.

FIFTH AVENUE THEATRE.—The Big Bonanza—Mr. Charles Fisher, Mr. James Lewis, Mr. W. Davidge, Miss Fanny Davenport. Matinée at 1:30.

UNION SQUARE THEATRE.—The Two Orphans—Mr. John Parselle, Mr. C. R. Thorne, Jr., Miss Fanny Morant, Miss Kate Claxton.

LYCEUM THEATRE.—La Petit Faust, (Opera Bouffe.)—Mlle. Marie Aimée.

WALLACK'S THEATRE.—The Rivals—A Happy Pair—Mr. H. J. Montague, Miss Ada Dyas.

OLYMPIC THEATRE.—Vaudeville and Variety Entertainment.

BOWERY THEATRE.—Aladdin.—Miss Lillie Macdonald.

SAN FRANCISCO MINSTRELS.—Minstrelsy and Negro Comicalities—Messrs. Birch, Wambold, and Backus.

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The whisky frauds which have recently been brought to light have evidently reached dimensions little, if at all, inferior to those attained during the operations of the old Ring, which culminated in 1866. Last night seizures were made by Government officers of thirty distilleries and rectifying establishments in various cities of the West and South. St. Louis heads the list with seizures of property to the value of $700,000. This new gang of conspirators against the revenue had evidently secured confederates in some pretty high official quarters in Washington, since the utmost secrecy of preparation failed to hide from them the fact of the simultaneous descent upon their premises which was arranged for to-day. No evidence has yet been obtained implicating District Supervisors or Collectors with the frauds, but it is tolerably obvious that these officers can only be sheltered from the charge of being accessory to fraud by the plea of gross incompetency. On either theory, their services are of a kind with which the country can readily dispense.

In our Washington dispatches to-day will be found full and interesting details of the way in which these Western and Southern distillers and rectifiers have contrived to cheat the Government out of half the whisky tax with which they were justly chargeable. The magnitude of these frauds may be inferred from the fact that in St. Louis alone, where every distiller save one is charged with sending out untaxed spirits, the Government has been cheated to the extent of one million of dollars. There was no great display of ingenuity about the methods of perpetrating these frauds. The first essential point was to secure a perfect understanding between the distiller and the rectifier; then it was necessary to corrupt one or two of the local officers of the Internal Revenue. After that, the frauds could be worked so smoothly that no special pains were taken for their concealment. When the system was in full working order, every second barrel of whisky which was sent out escaped the payment of duty. To Secretary Bristow is due the entire credit of breaking up this wide-spread conspiracy against the revenue. It does not as yet appear that Commissioner Douglas had any responsibility for its existence, beyond that which may be involved in being totally deceived as to the character of a number of his subordinates.

Nothing very remarkable in the form of either ceremonial or speech-making distinguished yesterday's centennial celebration at Ticonderoga. But the very simplicity of the way in which the exploit of Ethan Allen was commemorated had a certain obvious appropriateness to the occasion and to its hero. It was, perhaps, to be expected that Vermont should have the strongest official representation in the company present yesterday, though it might be desired for the credit of New-York that a few prominent public men should have found time to do honor to the memories which have gathered around the gallant capture of "Old Ti." In the evidences of genuine popular appreciation, the celebration lacked nothing. But we should hope that the next of these centennial events which falls to be commemorated on the soil of this State, will have a more decided recognition from our representative men, whether in public office or private station.

As the legislative session draws near a close, it seems tolerably certain that the Democratic majority in the Assembly stands immovably in the way of passing any of the laws needed for the security of New-York tax-payers. We are clearly to have no remedial legislation, and the best we can expect is that the Senate will save us from the infliction of any of the numerous jobs originating in the House which are now claiming passage at its hands. There is one measure, known as Senate bill 287, about whose obstruction or defeat the people of this City will be likely to demand a very strict account. This act was framed with the view of decreasing the burden of the year's taxes by the simple process of giving the year the full benefit of any increase in the revenues above the estimate made in November, of raising half of the last installment in the Fourth Avenue Improvement in 1875, to which its payment belongs, and of "covering in" to the Treasury the unexpended balances of appropriations for 1873 and previous years. If the people of New-York are compelled to pay a high rate of taxation because of the neglect of the Legislature to make such obvious provisions as these for their benefit, it will certainly not improve the political future of those who are responsible for such a result.

Later dispatches about the loss of the *Schiller* bring out no new details of any importance in regard to the circumstances leading up to or attending the wreck. The relatively large number of the crew who managed to get safely to land brings out a very disagreeable feature, which has been present in all recent steamship disasters. Can our Atlantic-going steamers show no such discipline or heroism on the part of common sailors as that which enabled a British regiment to fall into its ranks at the drum-call, and go down in full parade order with the sinking troop-ship? There can be no question that the selfish and brutal rush with which the crew of the passenger steam-ship take to the boats adds a fresh terror to ocean travel.

THE RIVER SYSTEMS OF THE UNITED STATES.

Among the most interesting of the admirable series of statistical maps published by the Government is one showing the River Systems of the United States, and giving the more important facts concerning the country drained by each of the systems, as disclosed by the census of 1870. This map is so arranged that a single glance shows the area occupied by each river or group of rivers, while a closer examination reveals the exact extent of this area in square miles, the population, the annual rain-fall, and the volume of the principal products, together with the amount of steam and water power in actual use in each region. Nothing could more vividly impress upon the mind the extent, variety, and possible development of the resources of the United States than a careful study of this map, while even a cursory attention to its principal features cannot but be interesting.

As it lies before the student, it presents three great divisions, the valleys on the eastern slope of the Alleghanies, running toward the Atlantic; the valleys on the west of the Rocky Mountains, whose waters find their way to the Pacific; and between these the marvelous series of valleys drained by the Mississippi, embracing three-fourths of the area of the Union, and yielding every variety of product known to the country.

The first region to which we have alluded lies on the eastern slope of the Alleghanies, and is divided naturally by the line of the Potomac. North of this dividing line lies the portion of the country principally occupied by what are most familiar to us under the name of the Eastern and the Middle States. Its chief rivers are the Connecticut, the Hudson, the Delaware, and the Susquehanna. Here we have the industrial life of the country in its most concentrated form. The area of the region is but 135,417 square miles. Its population is nearly ten millions (9,983,412.) The average rain-fall (forty-one inches) and its climate are favorable to agriculture, and we find that it raises rather more than twenty million pounds of tobacco, over twenty-one million bushels of wheat, and fifty-four million bushels of corn. But the secret of its prosperity is the fact that its steam-power and its water-power, in actual use, amount to almost a million horse power, the exact figures being 996,000. When we remember that Boston, New-York, Philadelphia, and Baltimore are on the coast line of this region, and that the mountain barrier which bounds it on the west is crossed by the three great trunk lines of railway and by the Erie Canal, we see how commerce joins with manufactures to unite in this corner of the continent the portion of its population at present the most wealthy and productive.

South of the Potomac lies the remainder of the first great division. Its area is slightly greater than that of the northern section, being 169,121 square miles. The rain-fall is the same. It produces about four-fifths as much wheat, (16,618,000 bushels,) and a little more corn, (56,322,000 bushels,) while its other agricultural products are far in excess. Of tobacco, it raises 63,628,000 pounds; of rice, 56,268,000 pounds; of cotton, 575,000 bales. But its steam and water power are only 144,000 horse power. The population is less than half, (4,224,041.) It is unnecessary to comment on the causes which have retarded the progress of this section. The prime one among them is happily removed, and with the passage of time, the splendid natural advantages, which are not inferior to those existing north of the Potomac, must make this region the home of a population as energetic and prosperous as any in the land.

The second great division of the Union to which we have invited attention lies west of the Rocky Mountains. Its resources are partly undeveloped, but are mostly of a kind not included in the statistics given on the map of the river system. That they are very great, and rapidly and steadily advancing, is well known.

Between these divisions lies the region drained by the Mississippi and its tributaries. It is the great valley land of the country. Stretching from the British possessions on the north to the Gulf on the south, it is so situated that a sinking of the continent one thousand feet would join the lakes to the ocean and divide the continent into two enormous islands. Over this vast plain population has spread, in uneven lines and at varying rates, until more than sixteen millions of souls have found their homes there. Divided by a mountain range, which art and energy have conquered, from the busy and crowded sea-board, its eastern half shows already a steam and water power in use equal to seventy per cent. of those in the Eastern and Middle States. It produces a million and a quarter bales of cotton, one hundred and eighty-three million bushels of wheat, and five hundred and sixty million bushels of corn. Its tobacco crop reaches 276,649,000 pounds. Thus this valley embraces the principal grain-producing region, almost the whole of the tobacco-producing region, nearly half of the cotton-producing region, and contributes considerably to the crops of sugar and rice, while it embraces the larger part of the grazing region. The bare enumeration of these facts shows the wonderful attainment and the far more wonderful promise of the Mississippi Valley. Considering also the rapid strides that have been made by manufactures, as shown by the amount of steam and water power in use, there is practically no limit to be placed on the future progress of the valley.

In this rapid glance at the more prominent facts presented by the statistical map, we have omitted several minor divisions, which are, nevertheless, of great value. We hope that these maps may ultimately be printed in sufficient numbers to be placed in every considerable educational establishment in the country. They are invaluable as instruments for conveying vivid, accurate, and permanent general impressions of the important features of the continent—physical, industrial, social, and political. The one which we have commented on is not more interesting or useful than the remainder of the series.

OCEAN RISKS.

Sometimes, when speaking in praise of a well-appointed ship, people who ought to know better say, "You are as safe in her as in your own house." Nor is this meant to be a mere metaphor. If we could leave out of the calculation one element, that which makes the ship a floating citadel, the statement might be true. But of the stanchest craft ever built, of the wisest seamanship ever practiced, it is still true that on the pathless and bottomless ocean these may prove nothing but frailty and ignorance. It is the sea which at once buoys up the vessel and cuts her off from human help—that constitutes the element of danger always present. It is the sea which makes the finest skill in construction necessary, and yet laughs to scorn the most ingenious devices of man. It is the unstable water, a vast plain extending to the horizon, that constantly menaces the voyager and instantly magnifies every disaster. From fire, starvation, mutiny, and wreck, on land, men may flee. But when any one of these calamities appears on ship-board, no escape is possible; the terrible thing must be fought hand to hand, and the waters wait to swallow up the victim when he falls. It is not true—it never can be true—that a ship may be so strong, well provided, and well manned that she may be as safe a refuge on the sea as may be found on the solid land. The sooner people make up their minds to this, the better will they be prepared for the sudden loss of "those who go down to the sea in ships."

Just now it is not worth while to inquire whether the percentage of loss to human life on the ocean is greater or less than formerly. We know that there is a certain risk in ocean travel; that the risk is probably greater than in any other department of human activity, and that every man who ventures to sea "takes his life in his hand" more truly than he who travels by rail or other means of locomotion. Not only have the disasters to passenger ships been very destructive of human life, but they have been frequent. The list of ships lost at sea within the memory of our middle-aged readers is long. Its death-roll would be enormous. On the *President*, which sailed out into an unknown fate thirty-four years ago, there were three hundred people. On the *Arctic* were more than three hundred. And when we mention the names of the five or six great ships which have gone down within ten years, we recall at once the details of very great calamities. We do not here allude to the disasters in which sailing vessels have been lost. The sum of these must be very large. In addition to strong crews, these ships carried down many who were passengers. But the loss of life by steam-ships carrying great numbers of passengers is that which must everywhere command attention. It is these large sacrifices of human life which emphasize the perils of the ocean, rather than the sum total of loss distributed in small figures over many uneventful years.

Of course, the natural inquiry will be, Must this state of things always continue? It seems a mockery of science and human intelligence that we should, in this advanced century of progress, be so far behind the general progress of the times in our appliances for saving life and preventing great catastrophe, on the ocean. But it must be confessed that man's ingenuity has not kept pace on the sea with his achievements on the land, if we consider the relative risks in travel by sea and land. The deviation of the compass, the unexpected and unknown influences of the currents, and various other subtle elements which a landsman cannot understand, go to make up the puzzling problem which the ship-master must solve or perish. Add to this the insane desire of passengers to save a day, or a few hours, and we have some notion of the complication of troubles under which the commander of a steam-ship must labor. Many people, commenting on the *Schiller* wreck, have said, "There is no reason why a voyage on a stanch ship, properly managed, should not be as safe as a trip on the land." Now, the fact is that the ships are not "properly managed" in the restricted sense in which this is meant. Nor will they be, until human nature is radically changed. While the newer Transatlantic lines make their reputation on the mere speed of their steamers, and so attract passengers, where is the use of preaching about a safety to which speed is sacrificed? If the *Schiller* had been absolutely fearless of competition, would not her course have been different? If there were but one line from New-York to England would disasters be as common as now? These inquiries answer themselves. Moreover, they cover the whole case. The people who travel, practically demand speed before safety. They rush for the fast ships. The simultaneous departure of a large fleet begets rivalry. The result is inevitable. In spite of the precautions of science, ocean travel must under such circumstances remain dangerous.

THE HARASSED HOUSEHOLDER.

While miners can strike and not only affect a great trading interest, but disturb the peace of a State; while our own laborers can do much the same, and are at least always sure to command attention by their protests, and even by their discontent, there is a very large class upon whom the requirements of their position and even the needs of life press very heavily, and who rarely hear a word of sympathy. This class is composed of men of very moderate means, men in a small business, salaried men, professional men of respectability but not of eminence, and the like. The incomes of people in this condition of life are generally very small, while their education and early life has in about equal proportion been such that if their needs were measured by their natural, unaffected wants, nothing less than moderately handsome competence would satisfy them. These persons are generally family men and householders; they form, indeed, the great mass of the householders in our cities and their suburbs. Upon this class the vicissitudes of the past few years have had a seriously depressing effect. They have seen their little business diminish, their salaries cut down, perhaps stopped altogether, their fees few and far between; and yet the demands of the family go on. They retrench their expenses; but with all their retrenchment they cannot do a great deal toward the diminution of them. For those expenses were never large, according to our American estimate. They included very few superfluities, and not too many luxurious comforts; and when these are cut off, there still remain the great items of house-rent, food, fire, clothing, education, and sickness. For men in this position these expenses are almost fixed quantities. There is no way of reducing them beyond a certain point, without avoiding them altogether by breaking up the household. And, yet in contemplating that question the other arises, Can the family be supported in anything like comfort less expensively without a home than with one?

There can be no doubt that social and material changes within the last thirty or fifty years have added very heavily to the burdens of people who are in a middling condition as to money. The increase of general wealth, the growth and diffusion of luxury, and the diffusion of that sort of democratic idea, so-called, which resents superiority, even in the display of wealth, have laid temptations before men which their fathers hardly knew, and which too many of us are not able to resist. But besides these, there are two necessities of life which, on the one hand have increased in price, while on the other they have greatly multiplied in number. The young trader just beginning housekeeping and not long established in business, and the young professional man in a corresponding position, do not feel as if they could possibly live in a style like that in which their fathers lived, although those fathers may have been as carefully educated and as comfortably brought up as they were themselves. This pressure is a positive social evil. It accounts for much the greater part of the so-called "irregularities" in business nowadays. Heretofore, and not very long ago, if a man was suspected of embezzlement, and upon an examination of his mode of life, he was found to be a quiet person, living not extravagantly, not a gambler or a sporting man, and not addicted to gay, loose company, the inquiry was given up. No such man was regarded as suspectable. But of late all this has changed. In some, we may say in most, of the recent cases of defalcation or of malversation in office, the offenders proved to be the quietest of family men, the soberest of small householders. They were tempted by the pressure of the present and by the hope of future ease. Their lives were harassed by constant need—the monthly, weekly, daily demand for money—money for the moderate supply of comfort to their families. They looked forward, at those rare times when their worry gave them time to see anything but the present and its necessities, and they saw an uncertain and perhaps a dreadful future for those they loved, and in this condition of mind they were tempted, and they fell. The fiends that pursue the householder of small means are the landlord, the butcher, the baker, the grocer, the fishmonger, the clothier, and the "Biddies." They haunt his daily life; it is he that must meet them; and there is but one charm that will lay them—money. The *Saturday Review*, in an article upon the cost of living, published not more than a month ago, remarked that "any one who looks carefully into the matter cannot fail to see that it is not the cost of exceptional hospitalities, but the regular every-day drain of family maintenance which is now the great burden of domestic life, and it is in this direction that a change is to be hoped for."

This is undeniably true; it needs no exceptional hospitalities, nor outside expenses of any kind to keep the householder of moderate income nowadays in a state of annoying anxiety for no inconsiderable part of the year. But as to a change in the expenditure, which is the cause of this anxiety, it is rather to be hoped for than looked for. For a reduction in that respect would involve what the wives would regard as a descent in the social scale; and few are the women of souls so serene as to consent to that; and too few are the men who will quietly, kindly, and firmly insist on a reduction of expenses to what may be almost regarded as the point of honesty, when it would breed discord in the household. But yet it is only by a reduction of our expenditure well within our incomes that some of us can get honestly out of the position in which we now find ourselves; and the best, the surest, and the happiest way is, however sharp the pinch may be, to make the sacrifice, and then practice upon the principle that John Randolph proclaimed as the philosopher's stone, "Pay as you go."

FRANCE AND ENGLAND.

We lately adverted to the remarkable care taken by France from the time of the Second Empire, to send as her representative to England a nobleman connected by ties of kindred with that country. Marshal MacMahon has once more contrived to find such an Ambassador in the person of the Marquis D'Harcourt. His Excellency comes of a very ancient and illustrious house, seated for centuries in Normandy. A cadet of this family crossed the Channel with the Conqueror, and was the founder of a branch destined to become as eminent as the parent stock. An English Harcourt was ennobled in the eighteenth century in the person of Simon Harcourt, Lord Chancellor, and his grandson was raised to an earldom. When the title became extinct, the bulk of the property passed to the last Earl's sister's son, Dr. Vernon Harcourt, but "the sentiment of race" showed itself very strongly in Lord Harcourt from the fact that he bequeathed a handsome property to his remote kinsman, the head of the house in France.

Prince Bismarck probably marks his appointment as one of those straws indicating how friendly continues to be the wind that blows from France to England, and the duration of which everything seems nowadays to encourage. The prevalent feeling between these two countries to-day is how could we ever have been so stupid as to quarrel? We want absolutely nothing which you have; you, on the other hand, want nothing from us. All that we need from each other, we have by free trade. The fact is, that the causes of jealousy between England and France have for a very long period always arisen out of the aggressive spirit of the latter. It was France's perpetual disturbance of the balance of power in Europe which produced the bitter antagonisms of bygone days, not the desire to seize or recover some good thing that the other had. But this conduct on the part of France gradually caused her to become hated in England with an intensity with which no other country has ever before or since been hated there, because the people of all classes recognized in her the direct and immediate cause of all their keenest troubles. Turn back to the state of England at the close of the last century and the beginning of the present. A contemporary writer, describing those dreary days, says: "Public affairs were unprosperous; parties ran high; the taxes increased with the expenses of the war and the yearly additions to the interest of the debt. It was not only the actual amount of taxation of which the middle classes complained, but of the oppressive and insulting mode of their assessment. The excisable trader had too long been familiarized with the presence of the revenue officer to complain. He walked into the tallow-chandler's workshop without ceremony, put a seal upon his copper and dipping vat, and locked up his molds. He looked over the grocer's stock at his pleasure. The poor-rate was enormous. It is difficult in these happier times of fiscal enlightenment to estimate what the poor had to endure in the incidence of taxation. Without mentioning the effect upon their means of living of the laws for the protection of agriculture, which told upon bread, meat, bacon, butter, cheese, there was excessive direct taxation upon sugar, tea, coffee, soap, candles." Perhaps nothing conveys a livelier notion of the prevailing scarcity than the fact that Lord Nelson, when entertained by Beckford, "England's wealthiest son," asked for bread, and was told that it was no longer served at Mr. Beckford's table at dinner, most gentlemen having given it up at that meal with a view to making it cheaper for the poor.

That Bonaparte was mainly the cause of these sufferings there is no manner of doubt. Look at the growth of the English national debt during the Napoleonic wars. Never was such a load imposed by one man on the back of a foreign nation before or since. It was not wonderful that he became the *bête noir* of that nation; that the very nurses used "Bony'll have yeh" as a threat to quell into submission a refractory child. What is wonderful is the fact that the single decade from 1848 to 1858 served to efface the hate of fifty years, and that the magician who wrought the change owed the position which enabled him to do so to the very man who had evoked the hatred.

This perfect understanding between France and England is, not without reason, viewed with some dislike at the Court of Berlin. The British Channel, with a foe on either side, is a widely different affair to the same sea with a friend or a neutral on the Continental bank. But this friendly feeling between two former fierce foes will, we hope and believe, tend to peace, not war. The conviction that to touch France would in the end be to touch England, is one which may have most wholesome preventive tendencies, and if peace can but be preserved another five years, the whole aspect of affairs may change for the better, since, as the French proverb has it, "it is the unexpected that always happens."

NATURE LESSONS.

A few days ago a pleasant little village in New-Jersey was thrown into a state of unusual excitement. At an early hour in the morning a small crowd of people was seen gathered in front of the principal tavern, intently observing something on the roof. In a short time the road was well-nigh blocked up by repeated arrivals from the neighboring houses. Presently there appeared upon the scene a man with a loaded double-barreled gun, who vociferously declared his intention to destroy something. Other armed men also made their appearance after a short interval, and gave expression to a similar resolution. A passer-by, anxious to learn the cause of such a turmoil, made inquiries of several individuals in the crowd, but nobody seemed to know what they were looking at or what had brought them together. At last he ventured to direct a question at the excited publican, when, out of the midst of a large amount of very strong language, he gleaned the terrible fact that there were five sparrows on the roof, and, worse than that, that somebody had declared them to be cock sparrows. The publican was an implicit believer in the dangerous proclivities of the little birds. He explained to the neighbors who had gathered round him that they were perfectly useless in the destruction of insects; that they rob the gardens and pillage the currant-bushes; and that—greatest crime of all—they drive away all other birds from the localities where they establish themselves. For these reasons he was determined that they should be killed.

This occurrence was a very fair illustration of the ignorance which prevails about natural history, and of the rapidity with which false ideas are diffused in regard to some of the most familiar objects of nature. The charges which the village tavern-keeper repeated against the sparrows are not new. Whether they first originated in malice or ignorance we do not know; it is quite certain that they are not deduced from observation. In the admirable *History of North American Birds*, lately published in Washington under the editorship of Mr. S. F. Baird, they are fully met. We are there told on the authority of careful observers that so far the "sparrows manifest no disposition" whatever to drive away other birds. Since their introduction into Boston, the chirping sparrows appear to have increased, and to associate by preference with their European visitors, feeding with them unmolested. "I have been unable," says Mr. Baird, "to detect a single instance where they have been interfered with in any manner by their larger companions."

In New-York we have had ample experience of the value of the sparrows in destroying the measure-worms; and in Europe these little birds have never had the reputation of being destructive to gardens. On the authority above quoted, it is shown that they feed chiefly on insects, and that they demolish them, certainly in the chrysalis state as well as the moth and the eggs, and probably in the caterpillar form also. The folly, therefore, of destroying them and the ignorance that exists about them are equally to be condemned.

But, after all, this is only about on an equality with the other absurd but popular belief that hydrophobia prevails in June, but not in January, and that the best preventive of it is to pay men and boys to drive the street dogs mad. Other errors of the same kind, too, might readily be enumerated. A few hours' conversation with people in the country as well as in the City will bring many of them to light. And it is their number and variety, as well as the persistence with which they are adhered to, that suggest anew the importance of doing a little more than we are now doing for the cause of natural science in the public schools, and thereby disseminating among the people generally more information about the common things around them. A few nature lessons, in the shape, perhaps, of simple lectures, delivered at this season of the year, would be opportune, valuable, and, we think, acceptable, to most of the pupils in our schools. The birds, the land, the fields, the trees, and flowers, one and all, suggest ample topics for much instructive discourse, even to the youngest. The last few days have brought out multitudes of Spring flowers in the woods and meadows. Specimens of several natural orders are now to be found in almost any suitable locality, and most of them present opportunities for the explanation of well-known properties for which they are peculiar, while in construction they afford some of the simplest and best examples for primary lessons. The Spring is the time when such lessons are most enjoyed, and when, therefore, they have the greatest effect. When the rigors of Winter are fairly gone, and the country begins to put on its Summer dress, people most gladly hail the enjoyments that come with it. Contrast increases the pleasure, and scraps of information upon such topics as we have named are most ardently sought after and most eagerly received. The occasion is one, in fact, exactly adapted to supply a pressing need, if only it be taken advantage of, and a small part of the time that still remains of school sessions before the long vacation might well be spent in correcting a few of the popular errors that exist among the people, in spite of their education, about common things.

OBITUARY.

CHIEF JUSTICE WOODWARD.

George W. Woodward, ex-Chief Justice of the Supreme Court of Pennsylvania, whose death at Rome, is announced elsewhere, was one of the most distinguished politicians and Democratic leaders of the ante-war period. Born at Bethany, Wayne County, Penn., in 1809, of one of the most respectable families in the State, he received his early political training from his father, who was a Jeffersonian Democrat of the straitest sect. The son was educated at Hobart College, Geneva, N. Y., where he was the class-mate of Henry S. Randall, Horatio Seymour, and others who afterward rose to prominence in national politics. On leaving college he entered the office of Garrick Mallery, Esq., a well known lawyer of his native place. This was in 1830. In the year following he succeeded to the large and lucrative practice of his partner, and soon achieved a high reputation at the Pennsylvania Bar. In 1836 he was chosen a delegate to the State Constitutional Convention, an honor which had never before been accorded to one of his age (twenty-seven.) In the sessions of this body his talents as a debater, added to his thorough acquaintance with constitutional law, won him a foremost place in its councils, as well as in the political party to which he claimed allegiance. In 1852 he was appointed Presiding Judge of the Fourth Judicial District, and on the death of Judge Coulter was raised to the Supreme Bench. In the Fall of 1852 he received from the Democratic State Convention the nomination, by acclamation, to the Supreme Judgeship, to which position he was subsequently elected by a large majority. During the war he attained an unfavorable notoriety as a leader of the Peace Democracy. In 1863 he delivered a decision pronouncing the "Draft laws" unconstitutional, an act for which he received the Democratic nomination for the Governorship. The election, which took place in October, 1863, was one of the most exciting in the history of the State, and resulted in the choice of Andrew G. Curtin, the Republican candidate, by a majority of over 15,000. In 1866 Judge Woodward declined a re-nomination, and in the Spring of the year following, sailed for Europe. During his absence, he was nominated and elected to the lower house of Congress from the Wilkesbarre District, and on his return in 1868 was re-chosen to the same position. In recent years, he has been noted for his interest in antiquarian researches, and for some weeks prior to his death, was engaged in an extended exploration of the ruins of Pompeii. He leaves two sons, Col. George W. Woodward, of the United States Army, and Mr. Stanly Woodward, a prominent lawyer of Wilkesbarre, Penn.

NICHOLAS CORT.

Nicholas Cort, the old New-York merchant, who died suddenly on Sunday of heart disease, was born in this City in 1796. In January last he suffered a stroke of paralysis, from the effects of which he had scarcely recovered when he was stricken with heart disease. He leaves a widow and six children. The funeral will occur on Thursday, at 2 P. M., from the Central Methodist Church, Brooklyn.

ART NOTES.

RECEPTION BY THE BROOKLYN ART ASSOCIATION AND THE PALETTE CLUB.

The thirtieth reception of the Brooklyn Art Association took place last evening in the Art Building and the Academy of Music, and was, as usual, well attended. The parquet of the Academy was floored over and carpeted, and thus made to present the appearance of a well-appointed drawing-room. Around the parquet groups of statuary and flowers were tastefully arranged. The music was under the direction of Conterno. The paintings comprised about 400 specimens from Brooklyn studios, and from the galleries of Messrs. A. T. Stewart, Henry T. Cox, W. W. Kenyon, A. S. Barnes, Samuel Hawk, Isaac Van Anden, Peter C. Cornell, Samuel B. Duryea, John F. Henry, Robert Graves, John M. Burt, Samuel P. Avery, M. Knoedler & Co., William Schaus, and others.

Many of the pictures were sufficiently familiar to visitors from New-York, but favorable opportunity was afforded residents of Brooklyn of inspecting many works of merit which had not heretofore been exhibited there, and hundreds availed themselves of the opportunity. The Exhibition was composed of Messrs. R. W. Hubbard, M. F. H. De-Haas, John M. Falconer, and John H. Parker; and the Executive Committee, under whose charge the general arrangements were perfected, of Messrs. Bryan H. Smith, John J. Van Nostrand, Henry Sanger, James Horn, and Marcellus Massey. The exhibition will to-day be thrown open free to the public, closing on the 24th inst.

THE PALETTE RECEPTION.

The first art reception of the season by the Palette Club took place last evening at the club house in Madison square. By 9 o'clock the spacious rooms of the club were thronged, nearly all the leading members of the association, with the female members of their families, being present. The art exhibition was not a very extensive one, consisting of about fifty pictures, which were hung in the reception room, comprising specimens by Messrs. Wust, T. L. Smith, Fuechsel, and other members of the club. The duty of receiving the guests of the evening was gracefully performed by Mr. Clark Bell, President of the club, Mr. J. F. Petri, and other members of the Reception Committee. The club is now in a very prosperous condition, and its financial affairs have recently been placed on a sound basis under the skillful management of its Treasurer, Mr. Kohn, all its debts having been paid off.

THE SOMERVILLE GALLERY.

A large and interesting collection of paintings is now on view at the Somerville Gallery, in Fifth avenue, comprising some good specimens of both the foreign and American schools. Prominent among them is the large composition of Prof. Albert Zimmerman, of Vienna, representing the two Marys and Salome going to the tomb of our Lord, "very early in the morning, at the rising of the sun." In the foreground are the three women, with downcast faces, bearing the jars of sweet spices for the embalmment of the body. Behind the hills which close in the dark and rocky foreground the sun is just rising, the rays shooting athwart the sky and illumining the entire background. A strong contrast of light and shadow is thus obtained. Although the work is not unexceptionable, the subject has been well treated, the broad masses of color and the generally simple treatment lending dignity to the theme. By Diaz, Lambinet, J. H. S. De Haas, Pabst, G. Wintz, Delforse, and other foreign artists there are also good specimens. Our own school is represented by S. Colman, Eastman Johnson, Whittredge, and J. G. Brown. Dolph has also two excellent works, one, a black and white bull watching over a white calf and its mother, being painted with unusual care and strength. From Mr. Darley there are some excellent sketches of local scenery in sepia and pen and ink, and Mr. Boughton, of London, has a very fair specimen of his earlier and perhaps better style. The collection will be on view free until Wednesday next.

DISSOLUTION OF A SOCIETY OF WORK-WOMEN IN BERLIN.

The Berlin correspondent of the London *Daily Telegraph* writes, April 15: "The eight ladies forming the Board of Management of the Berlin Workwomen's Association appeared before the Stadtgericht yesterday morning. They were respectively the Presidentess, the Vice Presidentess, the first Cashier, the second ditto, the mistress of the ceremonies, in fact the entire hierarchy, with the exception of one who had placed the waves of the Atlantic between herself and her Berlin judges. Beyond the unusual fact of the appearance of eight women in the prisoners' dock, and their amusing behavior during the trial, the case offered little interest, and the proceedings throughout were of the most trumpery character. The charge was of course that the association occupied itself illegally with political matters, its avowed objects being simply a cloak for social democratic agitation. The ladies, whose ages ranged from twenty-three to forty-five years, and who possessed the appearance of servant girls in holiday trim, were fully up to the mark. They freely chaffed the gentlemen of the press and the public during the retirement of the judges, regaled themselves with sausage and bread in the awful presence of the law, though to wash their viands down they had nothing stronger than water, which was handed to them with great politeness by the usher of the court. It was evident that they enjoyed their position. The foundress and Presidentess of the society showed wonderful tact in her answers. Another, the youngest of the party, who had lately been married, and appeared in her wedding dress, sky-blue and pink, with a little Japanese hat all very tastefully arranged, tried to wither the judge with a shrill and copious tirade upon equality, fraternity, and the rights of woman, the judge all the time blandly taking notes, as if the remarks were quite new and instructive to him, and, when all was over, asking if there was no more. The account books of the society, which were partially read, caused much amusement, especially one item of eleven glasses of beer and fifteen silbergroschen to an apostle of humanity who had delivered a lecture to the ladies at one of their public meetings. Justice was very paternally administered, letting the ladies off with small fines, which no attempt was made to collect. The fair socialists came and went without any sort of escort, and when the sitting was ended bounced out of court and enjoyed themselves excessively for some time on the stairs with the public, composed entirely of sympathizers and fellow laborers in the vineyard. The only object of the prosecution was to declare the association closed.

A NEW-ORLEANS GRIEVANCE.

Thus does the New-Orleans *Picayune* make moan: "We give fair notice that at the next session of the General Assembly we intend to urge legislation in the matter of milk-carts. So long as we have breath to speak or strength to write, we shall battle against the present mode of constructing milk-carts. This is a free and independent Republic, we concede; but no man has a right to get behind two immense tin vessels, such as now occupy the front of the average milk-cart, and then turn a bilious and unprincipled horse loose on an unsuspecting public. We have stood these milk-carts long enough—that is, we have dodged them, and fled wildly from them, long enough. It is more than we can endure to have a vehicle plunge viciously at you, and then when you have by an acrobatic paroxysm evaded it, see that the driver is supremely unconscious of your peril, and as supremely oblivious of your rage. If this public don't want to be run down by milk-carts, let them awake to the issue we propose. If the people's representatives retain one spark of fidelity to their trusts let them go to work on bills for the reconstruction, remodeling, and universal amelioration of milkmen."

MARYLAND PROMISES MANY PEACHES

The peach growers on the Eastern and Western shores of Maryland, according to the Baltimore *American*, think their crop will be larger this season than it has been for several years. They state that although the late frosts in April did some damage to the buds, it has not proved as serious as was at first anticipated. In some localities the damage will no doubt be severely felt, but as a general thing the crop is expected to be large. The growers say that owing to the backwardness of the Spring the buds did not come forward until later than usual, and consequently they were but slightly damaged. The officers of the various Baltimore steam-boat companies, whose vessels make a specialty of freighting peaches, are so confident that the crop will be large that they are already making preparations for putting on additional boats during that part of the year.

A GOOD WORD FOR JEFF. DAVIS.

This, from the Houston (Texas) *Age*, seems somewhat extravagant: "We love Jeff. Davis as we do our life, and it does our soul good and exalts us to do him honor. God only makes a few men in a century, and it is a little singular, but none the less true, that the only four in America, living when the late war began—Sam Houston, Jeff. Davis, R. E. Lee, and Stonewall Jackson—were Southern men. We hope to hear President Davis speak during our fair, and that thousands will flock to hear him."

ALBANY.

EVENING SESSION OF THE LEGISLATURE.

THE SENATE PARDON BILL THE SPECIAL ORDER IN THE ASSEMBLY—PASSAGE OF THE BILL APPROPRIATING $20,000 FOR THE POOR BLIND OF NEW-YORK—WORK OF THE COMMITTEES.

Special Dispatch to the New-York Times.

ALBANY, May 10.—The special order of the evening in the Assembly was the Senate bill providing for the pardoning of prisoners sentenced for terms of twenty-five years or more. The Senate bill provided that the Governor shall pardon, which the Assembly changed into giving the Executive discretionary power. The reason of this was that Mr. Alvord considered the directory order as conflicting with the pardoning power granted by the Constitution. The bill was progressed, ordered to be printed, and made a special order for Tuesday evening. On motion of Mr. Daly the bill authorizing the Commissioners of Charities and Correction to provide labor for the convicts and paupers in their charge was recommitted to the Committee on Cities. Mr. Daly stated that he made this motion because certain parties desired to be heard against the bill. The committee will hear the opponents of the bill to-morrow or Wednesday. The opposition comes from the labor unions and the unemployed workmen, who are fearful that the convicts will be employed on the public works in New-York, to their exclusion, whereas the intention of the friends of the bill was that the work should be furnished upon Blackwell's Island. Among the bills passed was Mr. Costigan's appropriating $20,000 in sums of $50 each to poor blind adults in the City of New-York not provided for in either public or private institutions. On motion of Mr. Alvord, the Assembly then adjourned out of regard for the memory of the capture of Ticonderoga.

BUSINESS IN THE SENATE.

In the Senate this evening Senator Selkreg introduced a bill to amend one passed April 30, 1875, and which was designed to enable the counties of Erie, Kings, and New-York to avail themselves of the aid of private corporations in caring for their poor. The amendment consists simply of the insertion in the last section of the bill which has already passed of the word "only," which was omitted by mistake, and was designed to limit the application of the bill exclusively to the persons declared in it to come within the meaning of the phrase "poor and destitute," which, when not admitted by the omitted word, could fairly be construed to include all inmates of charitable or reformatory institutions, sectarian or otherwise. By unanimous consent the bill was read a third time, and passed. Two canal bills were considered this evening, but neither gave rise to much discussion. The one introduced by Senator Lord, which is a copy of the bill vetoed by Gov. Hoffman in 1870, and is designed to reform the system of letting canal contracts, was ordered to a third reading, while the Davis bill, providing, among other less prominent things, for the transfer of the duties of Superintendent of Canal repairs to the Canal Commissioners and for the appointment of Canal Paymasters was progressed. Other bills ordered to a third reading were those allowing the Directors of the Bleecker Street and Fulton Ferry Railroad Company to lease its track to any other existing company, and enabling the City of New-York to settle and finally pay that part of the bonded debt of the late town of Yonkers apportioned to the late town of King's Bridge.

To the former bill Senator Gross offered an unsuccessful amendment, making the consent of a majority of the stockholders a necessary preliminary to the leasing of the road by the Directors. The bill appropriating $250,000 to the Department of Parks was before the Senate, and was progressed without discussion.

COMMITTEE NOTICES.

The hearing upon the bill, taxing the stock of insurance companies as bank stock is now taxed, which was to have been held this afternoon, is postponed until to-morrow morning. Mr. McGroarty, from the Assembly Committee on Cities, will report the two bills introduced by Senator Coe in the Senate, relating to the Supervisors and assessments in the County of Kings.

WASHINGTON.

CASES SUBMITTED IN THE ALABAMA CLAIMS COURT—THE SECOND CALLING OF THE CALENDAR TO-DAY.

WASHINGTON, D. C., May 10.—In the Court of Commissioners of Alabama Claims to-day the following cases were submitted upon the testimony and oral argument of counsel:

No. 6.—Valsin Ochmichen vs. The United States. J. W. Denver for plaintiff, and Hon. J. A. J. Creswell for the United States.

No. 22.—Tilton and Tilton vs. The United States. John A. Grow for plaintiff, and J. A. J. Creswell for the United States.

No. 46.—Charles E. Tilton vs. The United States. John A. Grow for plaintiff and J. A. J. Creswell for the United States.

No. 47.—B. B. Shackford vs. The United States. Morse & Coyle for plaintiff, and J. A. J. Creswell for the United States.

No. 58.—Hawley & Co. vs. The United States. Hon. C. Cole for plaintiff and J. A. J. Creswell for the United States.

No. 59.—Same vs. Same. Hon. C. Cole for plaintiff, and J. A. J. Creswell for the United States.

No. 60.—F. M. and Mary J. Rollins vs. the United States. Hon. C. Cole for plaintiff, and J. A. J. Creswell for the United States.

The second calling of the calendar will be continued to-morrow, commencing at No. 61. Argument in cases Nos. 278 and 279 embracing the measure of damages, will be resumed to-morrow by Mr. Joseph H. Choate.

THE NAVAL SQUADRONS ABROAD.

Information was received at the Navy Department to-day that the United States steamer Ossipee will sail from Pensacola on the 13th inst. for Aspinwall. The Shawmut left Port Royal to-day for Honduras and the Bay Islands. Dispatches have been received at the Navy Department from Rear Admiral Worden, dated Spezzia, Italy, April 17. He expected to remain there in the Franklin, his flag ship, until May 5. The Congress was at Villa Franca. The Alaska came out of the dock at Spezzia on the 18th of April, and was ready for service on the 1st of May.

WORKS OF ART INTENDED FOR THE CENTENNIAL EXHIBITION.

The Navy Department authorizes the statement that it has undertaken to bring to this country in United States ships returning home from the Mediterrancan squadron, and deliver in Philadelphia, all such works of art as American artists abroad desire to send to the Centennial Exhibition of 1876. Ships carrying such contributions will probably leave Europe some time next Winter, and will touch at the ports most convenient for the carrying out of this patriotic purpose.

CONDITION OF THE WINTER WHEAT IN MAY.

During the past week the condition of Winter Wheat in 330 counties has been reported to the Department of Agriculture. About 300 counties of the valleys of the Missouri and Ohio are represented, which last year produced 70,000,000 bushels of Winter wheat, or 60 per cent. of the product of seven States from Ohio to Kansas. The average of the condition in these States is 63 per cent., indicating only five-eighths of a full crop if no improvement occurs. In Kentucky the average is 75 per cent.; Ohio, 57; Michigan, 62; Indiana, 66; Illinois, 63; Missouri, 59, and Kansas, 87. Though only thirty-two counties in the latter State are represented. The condition is better in Pennsylvania, Maryland and Virginia, though below an average. A few wheat counties in New-York make extremely unfavorablee returns. The proportion to be planted in other crops averages 14 per cent. in the West, or 1,260,000 acres in a breadth of 9,000,000 acres seeded. The largest proportion is 27 per cent. In Missouri and Illinois, 27; in Kansas and Indiana, 11; in Michigan and Ohio, 10; in Kentucky, 4. There will be very little replanting in the Middle States, excepting in New-York.

Dispatch to the Associated Press.

THE TREASURY.

The balances in the United States Treasury at the close of business to-day were: Currency, $3,632,317; special deposits of legal tenders for the redemption of certificates of deposit, $51,300,000; coin, $88,361,024, including $21,311,400 in coin certificates; outstanding legal tenders, $378,051,760. The internal revenue receipts were $944,114, and Customs $506,725.

ARMY ORDERS.

The following named officers have been detailed for duty under First Lieut. George M. Wheeler, in the corps of engineers upon explorations and surveys west of the 100th meridian: First Lieut. William L. Carpenter, of the Ninth Infantry, and First Lieut. Charles C. Morrison, of the Sixth Cavalry. They have been directed to report by the 20th inst. to the officer in command of the Colorado Division of the expedition, at Pueblo, Colorado.

NAVY ORDERS.

Paymaster Jared Linsley, Jr., is ordered to the Minnesota, at New-York; Medical Director James Suddards has reported his return home, having been detached from duty as Fleet Surgeon of the North Atlantic Station on the 3d inst., and has been placed on waiting orders.

APPOINTMENTS.

The President this morning appointed Gilbert Adams, of Pennsylvania, Register of the Land office at Fair Play, Colorado, vice G. B. Overton, who declined the appointment. The President to-day signed the commissions of the following Postmasters: Mrs. Rachel McKibben, at Middletown, Penn.; Thomas S. Blodgett, at Cooperstown, N. Y.; C. A. Shippee, at East Greenwich, R. I.; John W. Woltz, at Fredericksburg, Va.

AMUSEMENTS.

MISS MORRIS AT BOOTH'S THEATRE.

Miss Clara Morris last evening entered upon a two weeks' engagement at Booth's Theatre. A large concourse was assembled, and the greeting of the actress was most cordial. She appeared in Richard Lalor Shiel's play of "Evadne." This piece, well known to the public a quarter of a century ago, rarely comes before an audience at present. Among familiar works it resembles more closely "Venice Preserved" than any achievement that just now suggests itself to our recollection, but its story is vastly inferior in power to that of Otway, and its language is entirely devoid of the vigor of style with which that of "Venice Preserved" is now and then impressed. "Evadne," in fine, is rather the performance of a skilled rhetorician than of a dramatist of genius, and the plot is as simple, and its development as free from artifice as an old-time mystery. Modern writers have changed all this, and, simultaneously with their changes, acting also has been modified. Miss O'Neill, Young and Macready—who, if we mistake not, were in the original cast—could give to their lines the fullest beauty of significance and sound of which they were susceptible, and their constant labors in the field of tragedy endowed their every word and look with a grace and a dignity we shall probably never see emulated. The modern school of players, used to dramas of the period, in which action, action, and action is the sole thought of author and actor, can do as little with productions of the past as Miss O'Neill and Macready would have no doubt found means to do with "Alixe" and "Article 47." At some stages the representation at Booth's last night certainly afforded pleasure, but it would be flattery to say that it awakened great interest or wrought a profound effect. Miss Morris' efforts, however, called forth and merited considerable attention. This lady has gifts which, properly directed, would place her in the foremost rank of what people are nowadays pleased to call emotional artists. Her presence is singularly sympathetic, her face is exceedingly mobile, she seems to possess the ability to occupy herself at all times with the business transacted about her, and her quick sensibility is shown by very striking transitions from the expression of one passion to that of another. These agreeable characteristics are offset by many unpleasant mannerisms. Although some improvement in her delivery was noticeable, yesterday, Miss Morris is still addicted to slurring her long speeches, to going so far in the endeavor to avoid affectation that she becomes ultra-colloquial, and to the employment of tones which have more similarity to a whine than to aught else. There is no doubt that Miss Morris is original in a good many ways, but one can be both original and offensive. Hence her personation of *Evadne* was at least uneven, and the unevenness was the more provoking, inasmuch as it was plain that by a little more regard for rule and precedent, and a little less respect for strangeness and contrast, much might have been accomplished. "Evadne," at Booth's, is divided into five acts. Miss Morris does not appear in the first, but she is well-nigh at her best in the second, and her dismay when, in the presence of *Vicentio*, she discovers that the portrait of the *King* has been substituted for that of her affianced, was admirably pictured by voice and look and gesture. The scene with *Vicentio*, previous to the duel, was afterward acted with considerable pathos. Miss Morris evidently excelling in the passages of a drama in which the physical effects of mental prostration can be exhibited; but the grandeur of the final incidents of the story, when *Evadne* turns the *King* from lustful thoughts by appealing to his memories of her father, was detracted from by over-feverish, and, consequently, almost always faulty declamation. With all her faults, Miss Morris has so much magnetism and fire that it is impossible not to be carried away occasionally by their agency. There were, consequently, frequent and loud plaudits and several calls before the curtain, during the evening, while the eloquence of the peroration was unquestionably spasmodic, and its general impression incomplete. The other roles in "Evadne" were filled by Messrs. Clarke, Warde, Studley, and Morton, and Miss Blanche Grey. Mr. Studley's *Ludovico*, although it partook of the diabolism of the operatic *Mephisto* rather than of the *finesse* of an *Iago*, was a very creditable sketch, but his associates were stagey. "Evadne" is, of course, handsomely set, and, *malgré* its imperfections as a play and the obstacles to its adequate interpretation, it is worth witnessing once, at any rate.

THE OPERA BOUFFE.

Mlle. Aimée last evening commenced at the Lyceum Theatre a farewell engagement to extend over the present week, at the termination of which she sails for France. "La Jolie Parfumeuse" was represented to the gratification of a large and hilarious audience. When the curtain had fallen upon the last scene an amusing incident occurred. Mlle. Aimée has been in the habit of singing an English song in the second act of the opera. The piece was then awaited, and as it was not heard, it was looked for in the third act. "La Jolie Parfumeuse," however, having ended without it, the assemblage rose to its feet, and fairly clamored for Mlle. Aimée and the song. The musicians had already left their seats, but the cries and applause continuing, they had to return. A few minutes' delay followed, and then, the stage having been cleared anew, the curtain rose, and Mlle. Aimée, amid a storm of plaudits and cheers, sang, in a manner which, though in intended imitation of a "variety prima donna," can fairly be called inimitable. "As Pretty as a Picture." To-night, "Le Petit Faust" will be given.

A NEW PRIMA DONNA.

Mlle. Anna de Belocca, a very beautiful young Russian songstress, made her début at Drury Lane Theatre, in London, as a prima donna, on April 24. After referring to her successful Parisian performances, the critic of the *Times* remarks: "That her voice is a contralto in some respects is unquestionable; but considered in all its bearings, it may more strictly be regarded as a mezzo-soprano. In either case, however, we have a voice full of charm, calculated to please all hearers. There is something fresh and original in its *timbre*, exceptional and peculiarly attractive. The comic masterpiece of Rossini was wisely chosen for the début of Mlle. Belocca, who possesses the requirements indispensable to an adequate portrayal of the piquant and lively heroine. To look the character, in its appropriate Spanish costume, more bewitchingly and to the life than does Mlle. Belocca would be scarcely possible; and her first appearance at the window of *Dr. Bartolo's* house predisposed the entire audience in her favor. But she was evidently nervous in her response to the cadences of *Almaviva's* serenade; and also, later on, in the opening of the soliloquy, 'Una voce poco fa.' Nor had she entirely recovered self-possession until the *cabaletta*, 'Io sono docile,' was approaching its conclusion. Still Mlle. Belocca had done quite enough to persuade her hearers that no common artist was before them, and her few shortcomings were allowed to be atoned for by 'extenuating circumstances.' It is a fact often denied, but not the less admitted by foreign aspirants, that, with all the talk about the 'baptism of Paris,' the most trying ordeal to pass with success is a first essay before one of our London Italian opera audiences. This was clearly felt by Mlle. Belocca, and influenced her accordingly at the outset. Encouraged, nevertheless, by the unmistakably expressed sympathy of the house, the young Russian songstress soon won heart, and in the duet with *Figaro*, 'Dunque io son,' now fully mistress of herself, exhibited powers both as singer and actress which left the question of her ultimate success beyond the possibility of doubt. She was equally good in the following scene, where, while listening to the angry reproaches of *Dr. Bartolo*, her by-play was excellent. In the great *finale* to the first act, moreover—the only special in comic opera to that of the first act of Mozart's 'Figaro'—she showed herself equally alive to the 'business,' both musical and dramatic. It was in the next act, however, that Mlle. Belocca set all fears at rest and completed her success. The 'Lesson scene' won the sympathies of the whole assembly of connoisseurs. The first song was a Russian melody ('solvej') of plaintive character, which must have somewhat astonished *Dr. Bartolo*, being sung in the Russian language, but it was tuneful and expressive enough to enlist general and hearty sympathy. What followed was the *brindisi*, 'Il segreto per esser felice' ('Lucrezia Borgia'), which, rendered in a characteristic and effective way, roused general enthusiasm and was loudly encored. By this time the general conviction was that a new 'star' had appeared in the operatic horizon. Such gifts as Mlle. Belocca is endowed with, such rare personal attractions, and such evident aptitude for the profession of her choice, was well worth cultivating. The impression created on Saturday night will cause every amateur to watch with interest the future career of the interesting young Russian. In Signor Brignoli Mlle. Belocca was associated with an *Almaviva* of the genuine Italian type, thoroughly versed in the Rossinean style of music managing his voice with so much skill and address as often to make us wish, and as often to believe, that it was twenty years younger. In the duet with *Figaro* (Signor Catalini), 'All idea di quel metallo,' which won a recall for both performers, this was especially remarkable."

THE BROOKLYN MUNICIPAL SQUABBLE.

A DISGRACEFUL SCENE IN THE BOARD OF ALDERMEN—GAG LAW ENFORCED—ONLY TWO OF MAYOR HUNTER'S CANDIDATES FOR THE COMMISSIONS CONFIRMED.

A most disgraceful scene was enacted yesterday in the Brooklyn Board of Aldermen. As it was known that the Mayor's nominations for the Board of City Works and the Board of Police and Excise, which the Democratic Aldermen had refused to act upon last week, were to be taken up, the Council Chamber was densely crowded. Aldermen Bergen called the meeting to order at 2 o'clock, and after the disposal of the routine business, asked the Clerk to read a communication from the Mayor, nominating the following gentlemen for the Board of City Works: John B. Woodward for President, in place of Lorin Palmer; William B. Hurd as Commissioner, in place of William A. Fowler; and Thos. W. Adams, in place of R. M. Whiting, Jr. When the names had been read, Alderman Clancy, who is "Boss" McLaughlin's spokesman in the Board, jumped to his feet and moved that the name of John B. Woodward be laid on the table. Alderman Fischer moved the suspension of the rule which limits debate on any question at one time by each speaker to five minutes. When the motion was put several Aldermen wished to explain their votes, but in every instance President Bergen, directed to do so in an audible voice by "Bob" Furey, McLaughlin's first lieutentant, declared the speaker out of order, and by violently rapping on the desk with a gavel tried to drown his voice. The motion to suspend the rule was lost, and then the motion to lay the name of Gen. Woodward on the table was carried. Alderman Clancy next moved a resolution to the effect that the Board did not concur in the nomination of William B. Hurd, in the place of William A. Fowler.

Availing himself of the five minutes permitted each speaker to debate on the motion, Alderman Fischer said that he had assisted at the making of the Charter under which they were acting. He was not, he said, entirely satisfied with its provisions, but it was made by Republians who were in a large majority at the time and could have seized all the offices. When it passed the Senate and Assembly it was not opposed by the Democrats, because there was a distinct understanding that there should be a minority representation. The Republicans conceded that representation to the extent of fully a third in all the commissions, and in the Fire Department had given the Democrats a majority. The Democrats now sought to violate the spirit of the charter, and the example was set them by Mayor Hunter, who had been himself elected on promises that he would not be a party man, but that he would regard the interests of the whole people. Mr. Fischer was promptly called to order at the expiration of the five minutes.

To prevent any further expression of opinion, Alderman Clancy moved the previous question, and the Chairman refused to permit any of the Republican Aldermen to explain their votes. The motion was carried amid cries of "gag it down! gag it down!" From this point the proceedings lost all semblance of decency. On motion of Alderman Clancy, the nomination of Thomas W. Adams was confirmed, in spite of the protests of several members of the minority that they had never heard of the man and wished some time to consider the nomination. These gentlemen, as representing a large section of the people, claimed that they had a right to be consulted. In answer to this claim Alderman Clancy naively said that the minority had no reason to complain because they were not consulted, inasmuch as the majority were in exactly the same position. The frank admission thus made simply meant that Boss McLaughlin and the other leaders had mapped out the programme, and that the Democratic majority was blindly following it out.

After the Mayor's communication in relation to the Board of City Works had been disposed of another communication was read, nominating the following gentlemen for Commissioners of Police and Excise: For President of the board, in place of Gen. James T. Jourdan, Gen. H. W. Slocum; for Commissioner, in place of Daniel W. Briggs, Daniel W. Briggs; and John Pyburn in the place of James Jensen. On motion of Alderman Clancy the name of Gen. Slocum was rejected, that of Daniel W. Briggs laid on the table and that of John Pyburn confirmed. All this was accomplished amid the wildest confusion. Several Aldermen were on their feet at the same time trying to be heard. Alderman Strong denounced the conduct of the President as disgraceful and indecent, but only stray words of Mr. Strong's speech could be heard. All the time he was on his feet President Bergen hammered violently on the desk with his gavel, while the utmost confusion prevailed. Mr. Strong called them a set of cowards, who feared to allow a fair discussion of their proceedings. In the midst of the confusion, ex-Water Commissioner Furey ordered President Bergen to adjourn the board, whereupon that official put the motion and declared it carried, amid a din that could be heard all over the building. The commissions now stand as follows: Gen. Jourdan, Republican; Daniel W. Briggs, Democrat, and John Pyburn, Democrat, compose the Board of Police and Excise, while Lorin Palmer, Republican; William A. Fowler, Democrat, and Thomas W. Adams, Democrat, compose the Board of City Works. It will be remembered that Mayor Hunter sent a list of nominations for these Commissioners to the Board of Aldermen at their last meeting. The Aldermen, or rather the President of the Board, returned the lists, and at the dictation of "Boss" McLaughlin sent back the Board of City Works nominations to the Mayor. This was done in the hope that Mr. Hunter would substitute the name of William A. Fowler, the Ring candidate and present incumbent, for that of Dr. Hurd. This the Mayor refused to do, and hence Dr. Hurd was thrown over. Gen. Slocum refused, it was understood, to accept the nomination for Police Commissioner, and it was for this reason alone that the Democrats rejected him. Gen. Woodward, it is understood, will be confirmed at the next meeting of the Aldermen, as will also Mr. Briggs. Gen. Jourdan will retain his place until the Mayor nominates a successor to suit the Ring. Mayor Hunter made one concession to "Boss" McLaughlin by substituting the name of Gen. Woodward for that of Mr. Gilbertson.

THREE MEN DROWNED.

OWEN SOUND, Ontario, May 10.—John Thompson, John Brennan, and Richard Morgan were drowned yesterday in the bay by the upsetting of a small boat.

LATEST NEWS BY CABLE.

THE SITUATION IN EUROPE.

OPINIONS OF LONDON JOURNALS ON THE MEETING OF THE EMPERORS OF GERMANY AND RUSSIA.

LONDON, May 10.—This morning's *Telegraph* in an editorial article on the meeting of the Emperors of Russia and Germany to-day says: "It is impossible to conceal the truth. The Continental situation means this morning the very greatest aspect. If we were to say that the question of the future repose of Europe may be practically solved before forty-eight hours have passed, we would scarcely go beyond the facts. The tendency at this hour is decidedly pacific."

Other London journals likewise comment upon the meeting, but the thought of war is generally discredited.

It is reported from Paris that the French Government positively contradicts the assertion that Germany has recently made representations of a hostile tendency. The same dispatch contains the statement, believed to be semi-official, that no cause of conflict exists between Germany and France, and that advices from all the capitals of Europe are of the same tenor—that pacific ideas are everywhere in the ascendant.

THE BELGIUM QUESTION CONSIDERED BY THE EMPERORS.

LONDON, May 11—5 A. M.—A special dispatch to the *Standard* from Berlin says Bismarck and Gortschakoff will decide during the Czar's visit whether Germany should answer the last Belgian note directly, or appeal to the guaranteeing powers. The recent warlike rumors are declared to be the work of stock jobbers.

A GENERAL DISARMING TO BE PROPOSED BY THE CZAR.

PARIS, May 10.—The feeling here is more hopeful. *La Liberte* says the Czar intends to propose a general disarming, and Germany will support the proposition.

INTERNATIONAL COPYRIGHT.

A LARGE DELEGATION OF WELL-KNOWN LITERARY PEOPLE URGE ON MR. DISRAELI THE NECESSITY OF GOVERNMENT ACTION TO SECURE INTERNATIONAL COPYRIGHT—MR. DISRAELI'S REPLY.

LONDON, May 10.—A deputation of authors waited on Mr. Disraeli to-day to make representations and obtain his views in regard to international copyright. The deputation consisted of Messrs. Blanchard Jerrold, Tom Taylor, Charles Reade, Charles Dickens, G. A. Sala, and Charles Mackay, and Miss Braddon and Mrs. Wood, and many other well-known literary persons. Mr. Edward Jenkins, Member of Parliament for Dundee, and author of *Ginx's Baby*, addressed Mr. Disraeli on the part of the deputation. He pointed to the appropriation and mutilation of the works of British authors by the book publishers of the United States, and asked if some remedy could not be found for the grievances.

Mr. Disraeli replied that the subject had already come before the Government on the question whether a revision of the copyright law in regard to dramas was desirable. The Government would give the matter full attention, and strive to remove the annoyances and vexations now existing, but it must have time to consider what method to adopt. He was of opinion that a royal commission would be better than a committee of the House of Commons, because it would be more likely to be well acquainted with the subject.

GERMANY.

THE RELIGIOUS ORDER SUPPRESSION BILL IN THE PRUSSIAN DIET—SUSPICIONS AGAINST POLISH PRIESTS.

BERLIN, May 10.—The bill for the suppression of religious orders passed its third reading to-day in the Lower House.

The Berlin *Post* says there are reasons to suspect that certain Polish priests have conspired against the lives of Prince Bismarck and Dr. Falck, Minister of Ecclesiastical Affairs, and that three persons, whose names are already known to the Police, were hired to carry out the plot.

THE CZAR'S ARRIVAL AT BERLIN—CORDIAL RECEPTION BY THE EMPEROR OF GERMANY.

BERLIN, May 10.—The Czar arrived here to-day. He was received, on alighting at the railway station, by the Emperor William and all the Princes of the Emperor's family. Gens. Von Moltke and Manteuffel and other distinguished personages were present.

The Emperor's greeting was exceedingly cordial.

An immense crowd was gathered around the station and cheered most enthusiastically.

The city is decorated with flags.

The Czar, accompanied by Prince Gortschakoff, has visited Prince Bismarck.

GREAT BRITAIN.

DEATH OF THE OWNER OF NOTED RACE HORSES.

LONDON, May 10.—Rev. John King, of Ashby-de-la-Launde, in Lincolnshire, is dead. Mr. King, under the assumed name of "Mr. Launde," was widely known as the owner of racing stock, notably of Apology, the winner of the Oaks, One Thousand Guineas and St. Leger stakes of 1874, and of Holy Friar, one of the favorites for the Derby of 1875. Holy Friar thus becomes disqualified for running for the Derby, and all bets on him are rendered void.

THE WHITSUNTIDE HOLIDAYS.

LONDON, May 10.—The House of Lords will adjourn over for the Whitsuntide holidays from the 13th to the 27th inst.

SPAIN.

LIBERATION OF THE CARTAGENA INSURGENTS.

MADRID, May 10.—The Intransigente prisoners who were engaged in the Cartagena insurrection have been set free.

THE ARGENTINE REPUBLIC.

OPENING OF THE CHAMBERS BY THE PRESIDENT IN PERSON.

RIO JANEIRO, May 10.—Advices from Buenos Ayres state that the President opened the Chambers with a speech, in which he proposed an amnesty for political offenses, and announced that all difficulties with foreign powers had been settled.

OTHER MARINE DISASTERS.

LOSS OF THE STEAMER CADIZ OFF THE FRENCH COAST — SIXTEEN PERSONS DROWNED.

LONDON, May 10.—The steam-ship Cadiz was lost near Brest, while on a voyage from Lisbon to this city. Sixteen persons were drowned.

[The Cadiz was a screw-steamer, of 1,486 tons, registered at London, and owned by Messrs. J. Hall and R. Cresswell. Her length was 254 feet, breadth of beam 36 feet, and depth of hold 18 feet. She had two compound, direct-acting engines, with cylinders 27 by 54 inches, and a nominal horse-power of 120, capable, however, of being worked up to 500. She was built by Messrs. B. & T. Smith, at North Shields, England, in 1855, and lengthened in 1873. The steamer was water ballasted, and was esteemed a safe vessel, though not remarkable for speed. At the time of the disaster she was running on the line between Lisbon and London.]

LOSS OF THE BARK CORA LYNN WITH HER CAPTAIN AND FIVE SEAMEN.

LONDON, May 10.—The bark Cora Lynn, from Darien for Troon, is reported lost, with her captain and five men. The rest of the crew were saved.

THE TURF.

LEXINGTON RACES—A HEAVY TRACK.

LEXINGTON, May 10.—The races to-day over the Kentucky Association course were largely attended. The sport was excellent, although the track was very heavy, owing to the rains of last night.

FIRST RACE.—Phœnix Hotel Stakes, for three-year olds, $50 each, play or pay; $250 added; one and one eighth miles; Aristides, Goldmine, Ten Broeck, Bill Bruce, Millionaire, and Elemo were the starters. Aristides was the favorite at about $140; 'Ten Broeck second choice at $100; Bill Bruce third at $50; and the Field at $20.

At the start Ten Broeck led, with Goldmine close up, which positions were retained to the close, except that Bill Bruce took second place coming under the string.

SUMMARY.

F. B. Harper's b. c. Ten Broeck	1
J. J. Bapler's br. c. Bill Bruce	2
S. A. Grinstead's ch. f. Goldmine	3

Time—2:11¾.

SECOND RACE.—A post sweepstakes for all ages; $50, each play or pay, $400 added; second horse to receive $100; one and a half miles. There were three starters.

SUMMARY.

Richards' b. c. Monmouth	1
Robinson and Morgan's Big Fellow	2
Harper's Excel	3

Time, 3:00¼.

Big Fellow was the favorite.

THIRD RACE.—Dash of one mile, for a purse of $950. There were three starters.

SUMMARY.

McGrath's Aaron Pennington	1
Keene Richards' Misfortune	2
McGibbon's Eleanor	3

Time—1:55½.

The start was a bad one, but Pennington would have won anyhow. The track was very heavy, hence this slow time.

POOL-SELLING ON THE LEXINGTON RACES.

This is the second day of the meeting at Lexington, Ky., and there are two races—the first being a sweepstakes for two-year olds, half a mile, and out of fifteen entries the starters announced at the Turf Exchange last night were: John Gardner's ch. f., by Lexington, out of Miriam, by imported Glencoe; S. J. Salyer's blk. f. Minnie Morgan, by Enquirer, out of Jennie Morgan, by imported Australian, or b. f., by Barney Stone, out of Gineura, by Lexington; J. A. Grinstead's b. c. Vigil, by Virgil, out of Regan by Lexington and Mettle, by Melbourne, dam by imported Eclipse; A. K. Richards' b. c. Grit, by Melbourne, out of Wagonnette, by Wagner; T. J. McGibbon's ch. f. Venora, by Lexington, out of Verona, by imported Yorkshire. H. P. McGrath's b. f. Tara, by Blarney Stone, out of Crescent, by imported Australian. The second race is one of mile heats for all ages, in which are engaged Aaron Pennington, Noll, Astora, and Bigfellow. The pools on these events, at the Turf Exchange last night, averaged as follows:

TWO-YEAR-OLDS.

Tara, (McGrath)	$22	$18
McGibbons' entry	18	14
Salyer's entry	50	40
Grinstead's entry		
Richards' entry		
	$50	$72

MILE HEATS.

Aaron Pennington	$20	$25	$20
Big Fellow	12	15	13
Noll	9	14	10
Astora			
	$81	$54	$43

GREAT CONFLAGRATION IN BROOKLYN.

DESTRUCTION OF THE PLANET CARPET MILLS—LOSS HALF A MILLION DOLLARS—THE FIRE NOT UNDER CONTROL AT 2 O'CLOCK THIS MORNING—MANY DWELLING-HOUSES THREATENED — PEOPLE RUNNING ABOUT THE STREETS HALF CLAD — FOUR HUNDRED PERSONS THROWN OUT OF EMPLOYMENT.

About 11:30 o'clock last night, a fire broke out in the Planet Carpet and Oil-cloth Mills, owned by Buchanan & Lyle, occupying the block bounded by Carroll, President, Bond, and Hoyt streets. A few minutes after the alarm was sounded five engines were on the ground, but so quick was the progress of the fire that the entire building was in flames before a stream of water could be thrown on. Engine No. 4, on the President street side of the fire, had to be abandoned five minutes after she took up her station. One of the firemen was badly burned on the hand. It soon became apparent that no effort could save the mills or anything contained in them. The efforts of the firemen were therefore directed to saving the surrounding property. A Baptist Mission Chapel attached to the Strong Place Baptist Church, stands adjoining the mills, on the south corner. All the furniture was removed, and at midnight the flames had commenced to eat their way into the roof of the church. At that time it was believed that should the wind continue from the south the chapel might be saved. The loss on the stock and machinery of the mills is estimated at about $300,000. The building, which was totally destroyed, makes the loss a together over $500,000. By the calamity, over 400 persons, principally women, are thrown out of employment. Over ten thousand dollars' worth of stock was put in yesterday. The insurance is distributed in home and foreign companies, but is controlled by the Safeguard Insurance Company of New-York. The insurance altogether amounts to $180,000. Mr. Lyle, of the firm, believes the fire was of incendiary origin. Many of the dwelling-houses in the neighborhood were endangered. All the furniture was thrown out in the street, and hundreds of women and children were running about half clad. At the hour of going to press the fire was not yet under control. Fire Marshal Thorne and the Police of the Tenth, Thirty-second, and Eighth Precincts did good service in preserving order.

OTHER FIRES.

About 8 P. M. yesterday fire was discovered on the top floor of the five-story building No. 9 Bowery, occupied as a cigar manufactory by Jacob Stemper, who estimated his loss at $5,000. The third floor was occupied by Robert Jackson, who is in the same business, and who loses $2,000. The building was damaged $7,000.

Sixteen business houses and dwellings in Springfield, Mo., were burned yesterday morning, causing a heavy loss. Gen. B. C. Holland's block was among the property destroyed, involving a loss of $50,000. The other losses have not yet been ascertained.

About 3 o'clock yesterday morning the barn and other out-buildings of Henry J. David, a New-York lawyer, at Wanaque, N. J., were destroyed by fire, together with seven valuable blooded horses and other property. The loss is not known, but is believed to be $10,000 or $15,000.

The stair factory and turning shop of Messrs. Thorn, Fisher & Co., on Biddle street, St. Louis, Mo., was burned yesterday. The loss is about $15,000; insurance small, including $1,400 in the Hibernia, of Cincinnati.

A fire yesterday morning destroyed the clothing store of H. Cohon & Bros., in Memphis, Tenn., John P. Hughes' saloon, and several other small buildings. Loss, $20,000; insured in the Liverpool, London, and Globe, Queens, Hamburg, and Bremen.

The Enterprise Breaker, owned by the Enterprise Coal Company, at Excelsior, Penn., was totally destroyed by fire on the night of the 8th inst. The fire was the work of an incendiary.

F. Ach & Son's furniture manufactory, No. 230 East Thirty-seventh street, caught fire from unknown causes last night. Loss, $3,000 on stock and $1,000 on the building.

It is reported that Wm. Hesseltine's saw-mill at Stoneham, near Lowell, Oxford County, Me., is burned. It was valued at $15,000, and was insured.

WESTON'S LATEST ATTEMPT.

HE GIVES UP THE PURPOSE OF OUTWALKING O'LEARY'S FEAT, BUT MAKES SEVENTY MILES WITHOUT INTERMISSION.

At 12:05 last night Weston commenced walking at the Rink, corner of Sixty-third street and Third avenue. On this occasion, in order to surpass all his previous efforts in pedestrianism, he has undertaken to walk 515 miles in six consecutive days, 200 miles in two days, 125 miles in twenty-five hours, and 118 miles inside of twenty-four hours At a few minutes before midnight he made his appearance on the track looking extremely well, and apparently in good spirits, and as the judges had already been selected beforehand he was able to start at the time announced. His pace at first was extremely slow, but as he warmed to his work it became better. His first mile was finished in eleven minutes and fifty seconds, and the first five in fifty-five minutes and fifteen seconds actual walking time. The next five miles, although not so fast as the first, were done in excellent time (fifty-seven minutes and sixteen seconds,) without any special effort on his part. At the end of the fifteen miles, which he finished at fifty minutes and thirty-one seconds past 2 o'clock, he retired for sixteen minutes and fifty-seven seconds for breakfast. Shortly after finishing his twenty-second mile, he again left the track to have his shoes cleaned. On removing his shoes it was found his left foot was badly cut below the ankle where it had come in contact with the raised margin of the track. On consulting with his physician it was decided that he should retire for a few hours in order to allow his foot to heal before he should resume his walk. This made it necessary for him to abandon the attempt to outwalk O'Leary's Philadelphia feat and make more than 116 miles within twenty-four hours. He retired at ten minutes and forty-six seconds after 5 o'clock, and did not again make his appearance on the track until 9:42 o'clock, having rested for four hours, thirty minutes and forty-three seconds. He appeared to be much relieved by his rather long sleep, soon as he got the word he started off at a very and as fast gait. He intends to make up for all his lost time by Wednesday at furthest. At 11:20 he had walked ninety-two miles for the day, and seventy since the time of start in the morning. The last seventy miles were walked without any intermission whatever, and is the greatest feat in pedestrianism ever accomplished. The following is the time of day at which he finished each five miles:

Miles.	H.	M.	S.	Miles.	H.	M.	S.
5	1	0	15	45	2	14	35
10	1	56	31	50	3	11	58
15	2	55	31	55	4	10	4
20	4	17	25	60	5	8	9
25	10	26	23	65	6	5	29
30	11	21	45	70	7	5	32
35	12	18	15	75	8	3	40
40	1	17	33	80	9	3	31

Pomeroy's Patent Runture BELTS and Band TRUSSES. 744 Broadway, N. Y. By far the best in use.—*Advertisement.*

THE SEMI-WEEKLY TIMES.

THE NEW-YORK SEMI-WEEKLY TIMES, published THIS MORNING, contains the very latest telegraphic and general news; editorials on matters of current interest; a page of carefully-prepared

SITUATIONS WANTED.

FEMALES.

THE UP-TOWN OFFICE OF THE TIMES.

The up-town office of THE TIMES is located at **No. 1,257 Broadway, bet. 31st and 32d sts.** Open daily, Sundays included, from 4 A. M. to 9 P. M. Subscriptions received, and copies of THE TIMES for sale.

ADVERTISEMENTS RECEIVED UNTIL 9 P. M.

ATTENDANT ON INVALID, HOUSEKEEPER, or other position of trust.—By an American Protestant lady, who is a kind, patient nurse; also thoroughly understands house-keeping, care of help, marketing, &c. Has very best reference. Call at Carpenter's, No. 138 West 11th st., cor. 6th av.

A RESPECTABLE WOMAN, WITHOUT any incumbrance, wishes a gentleman's place to take care of for the Summer months; best City reference. Address Mrs. A. C., Box No. 264 TIMES UP-TOWN OFFICE, NO. 1,257 BROADWAY.

AT BOOKHAM'S, NO. 307 4TH AV., NEAR 23d st., parties wanting help and help wanting situations call immediately; English, French, German, Irish, &c., cooks, ladies' maids, nurses, waitresses, laundresses, house-workers, and those lately landed.

AT THE SWEDISH SERVANTS' OFFICE, No. 108 East 27th st.—A number of Swedish and French servants, all Protestants. MAURICE LINDQUIST, (Swede,) proprietor.

AT PELTON & CO.'S, NO. 645 6TH AV., (formerly with Bethell,) competent and reliable servants, male and female, Protestant and Catholic, for City or country.

A NUMBER OF FIRST-CLASS GERMAN servants constantly found at Mrs. LOWE'S German Bureau, removed to No. 131 East 13th st., between 3d and 4th avs.

CHAMBER-MAID, &c.—BY A NEAT YOUNG girl with three years' City references from last place; in City or country, as chamber-maid and waitress; is obliging and willing to live with Catholic or Protestant help. Call at No. 106 6th av. between 8th and 9th sts., no stairs.

CHAMBER-MAID, &c.—BY A RESPECTABLE young girl as chamber-maid and do washing, or chamber-maid and waitress; willing and obliging; no objection to the country for Summer; five years and four months' reference from last place. Call for two days at No. 336 6th av.

CHAMBER-MAID AND WAITRESS.—BY A young woman who is an experienced chamber-maid and a first-class laundress; would like a place in the City or country; can furnish the very best references. Apply at Odell's Agency, No. 109 West 34th st., corner Broadway.

CHAMBER-MAID AND WAITRESS.—BY A neat, tidy Scotch Protestant girl, who understands her duties as chamber-maid; is also a good waitress; can care and clean silver, glass, &c.; will assist with washing if required; has good recommendations. Call at Carpenter's, No. 138 West 11th st., corner of 6th av.

CHAMBER-MAID.—BY A RESPECTABLE YOUNG woman as first-class chamber-maid and do plain sewing; thoroughly understands her business; is willing and obliging; first-class City references. Can be seen for two days at No. 426 4th av., near 29th st., in the store.

CHAMBER-MAID.—BY A CAPABLE, RELIABLE girl, American Protestant, as chamber-maid, waitress, or general house-work; City or country; has good references from Quaker family. Can be seen at the Protestant Home Bureau, No. 138 6th av.

CHAMBER-MAID AND WAITRESS OR Seamstress.—By a neat, tidy Protestant girl, in City or country; understands her business well; is very good with children; best references. Call at No. 106 6th av., between 8th and 9th sts., up stairs.

CHAMBER-MAID.—BY A NEAT YOUNG WOMAN as chamber-maid and waitress, or would take care of children; is careful and obliging; City or country; best City reference. Call at No. 205 West 27th st., near 7th av.

CHAMBER-MAID AND SEAMSTRESS.—BY a young Protestant woman, place in the country, as chamber-maid and seamstress; understand Wheeler & Wilson's machine; first-class City reference. Call or address No. 106 West 24th st.

CHAMBER-MAID.—BY A YOUNG GIRL AS chamber-maid and waitress; willing to assist with the washing and ironing; no objections to the country; best City reference from last employer. Call for two days at No. 348 2d av., between 45th and 46th sts.

CHAMBER-MAID AND HOUSE-WORK.—By a German young woman, or as nurse and care of children, sewing, &c.; has good references; for City or country. Can be seen at the Protestant Home Bureau, No. 138 6th av.

CHAMBER-MAID.—BY A RESPECTABLE GIRL as first-class chamber-maid; has no objection to assist in the washing; best reference; family must be small. Can be seen for two days at present employer's No. 5 East Washington place.

CHAMBER-MAID, &c.—BY A YOUNG GERMAN woman; is a first-class chamber-maid and nurse; also family seamstress; has excellent City reference; no objection to the country. Apply at Mrs. Lowe's, No. 131 East 13th st., between 3d and 4th avs.

CHAMBER-MAID AND WAITRESS.—BY A very respectable girl as chamber-maid and waitress; is willing and obliging; would like to go in the country; good reference. Apply at present employer's, No. 73 West 55th st.

CHAMBER-MAID.—BY A RESPECTABLE young girl as chamber-maid and waitress in a small family; no objection to the country; best of City reference. Call at 232 West 28th st., third floor, room 11.

CHAMBER-MAID AND WAITRESS.—BY A respectable girl as chamber-maid and waitress; City reference from her last place. Call or address two days at No. 302 East 35th st.

CHAMBERMAID AND SEAMSTRESS.—BY a German girl, to do chamber-work and sewing in a private family. Good references. Call at No. 236 East 54th st., near 2d ave.

CHAMBER-MAID.—BY A RESPECTABLE YOUNG woman, as chambermaid or as a first-class waitress; has eleven years' City reference from her last place. Can be seen at No. 412 Madison av.

CHAMBER-MAID.—BY A PROTESTANT YOUNG girl to do chamber-work and sewing or would assist with children; good City reference. Call at No. 238 West 20th st., top floor.

CHAMBER-WORK, &c.—BY A RESPECTABLE young woman to do chamber-work and assist with one washing; eight years' reference; City or country. Call at No. 306 East 32d st., near 2d av.

CHAMBER-MAID AND LAUNDRESS.—BY a competent woman as first-class chamber-maid and laundress; has the best City reference. Call at No. 13 West 44th st., second floor, front.

CHAMBER-MAID.—BY A COMPETENT GIRL as chamber-maid; will go to Newport or New-London; best City reference. Address M. Box No. 274 TIMES UP-TOWN OFFICE, NO. 1,257 BROADWAY.

CHAMBER-MAID.—BY A YOUNG COLORED girl as chamber-maid or waiting on a lady or children; best City reference. Call at No. 36 West 44th st.; ring three times.

CHAMBER-MAID.—BY A RESPECTABLE PROTestant girl as chamber-maid and waitress, or chamber-maid and plain sewing; two years' reference from last place. Call at No. 313 East 59th st.

CHAMBER-MAID.—BY A RESPECTABLE YOUNG girl as chamber-maid and waitress; is willing and obliging; good reference. Apply at No. 158 West 28th st., room No. 17.

CHAMBER-MAID AND WAITRESS.—BY A respectable young woman as chamber-maid and waitress; best reference from her last place. Can be seen at Mrs. O'Neil's, No. 913 6th av.

CHAMBER-MAID AND WAITRESS.—BY A thoroughly experienced young woman. Apply at her present employer's, No. 11 West 20th st.

CHAMBER-MAID, &c.—BY A RESPECTABLE girl to do chamber-work and washing or waiting; good reference. Apply at No. 161 East 28th st.

CHAMBER-MAID.—BY A LADY FOR HER GIRL, to do chamber-work or to assist in care of children. Call at No. 330 Madison av.

CHAMBER-MAID.—BY A YOUNG WOMAN WHO has several years' references from her last employer; has always lived in the best of families in the City; is very competent, careful, and obliging. Call at or address No. 602 6th av., between 35th and 36th sts.

CHAMBER-MAID AND SEAMSTRESS.—BY a young woman, in a private family, as chamber-maid and to do plain sewing; five years' reference from last place. Call at No. 17 East 27th st., between 5th and Madison avs.

CHAMBER-MAID AND SEAMSTRESS.—BY a young woman, in a private family, as chamber-maid and to do plain sewing; five years' reference from last place. Call at No. 17 East 27th st., between 5th and Madison avs.

CHAMBER-MAID, &c.—BY A RESPECTABLE Protestant young woman as chamber-maid and seamstress or to wait on an invalid lady; would go for moderate wages; good City reference. Call at No. 202 West 27th st.

CHAMBER-MAID AND SEAMSTRESS.—BY a Swedish girl, well recommended, as a first-class servant; sews by hand or machine; does chamber-work nicely; country preferred; wages moderate. Can be seen to-day at the Swedish Office, 108 East 27th st.

CHAMBER-MAID.—BY A YOUNG GIRL TO DO chamber-work and waiting, or take care of children and make herself generally useful; five years' City reference from last employer. Call at No. 247 West 31st st., second floor, front room.

CHAMBER-MAID.—BY A YOUNG, TIDY, INtelligent and active girl as chamber-maid; willing to do plain sewing, or even waiting in a small family; City or country; excellent references. Seen at the French Office, No. 1,233 Broadway.

CHAMBER-MAID.—BY A COMPETENT WOMAN as first-class chamber-maid, or do chamber-work and waiting, in a private family; is willing to go to the country; best City reference. Call at 203 West 27th st.

CHAMBER-MAID.—BY A RESPECTABLE GIRL to do chamber-work and washing, or waiting; good references. Apply at No. 159 East 28th st., between 5th and Lexington avs.

CHAMBER-MAID.—BY A PROTESTANT GERman girl to do chamber-work and waiting, or to mind growing children and sew, in a nice private family; good references. Call at No. 39 Sullivan st.

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COOK—CHAMBER-MAID, &c.—BY TWO young women, in a private family; one as cook, (Protestant;) understands meats, game, jellies, pastry; no washing; the other as chamber-maid or plain sewing; country preferred; four years' reference from last place. Call at No. 115 West 19th st.

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COOK.—BY A RESPECTABLE WOMAN AS FIRSTclass cook; no objection to the country; will do the coarse washing and ironing; best of references. Address Cook, Box No. 285 TIMES UP-TOWN OFFICE, NO. 1,257 BROADWAY.

COOK.—BY A RESPECTABLE YOUNG WOMAN as first-class cook in a private family; understands all kinds of French and English cooking, boning, larding, &c.; has no objection to the country; good City reference. Apply at Bedell's, No. 342 4th av.

COOK.—BY A COMPETANT WOMAN AS COOK; understands all kinds of cooking; the country preferred; wages from $18 to $20 per month; both City and country reference. Call at No. 213 East 25th st., in candy store.

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COOK.—BY A FRENCHMAN AS CHIEF COOK AND pastry cook; accustomed to work in a private house or yacht; is thoroughly efficient, sober, honest, and temperate; has good references. Address J. L., No. 98 4th av.

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COOK—CHAMBERMAID.—BY TWO PROTESTant girls; one as first-class cook and to assist with washing, the other as chamber-maid and seamstress; best City reference. Apply at No. 230 East 22d st.

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COOK AND LAUNDRESS.—BY A RESPECTable young woman as good plain cook and excellent laundress; no objection to the country; good reference. Call at No. 306 East 32d st., near 2d av.

COOK.—BY A RESPECTABLE PROTESTANT WOman as cook; a good bread and biscuit maker. Can furnish good City reference. Call at No. 602 3d av., in the fancy store.

COOK.—BY A RESPECTABLE YOUNG WOMAN AS Cook in a private family; has the best of City reference from her last employer. Call or address No. 348 West 38th st., one flight up.

COOK.—BY ONE WHO WELL UNDERSTANDS her business; best of City reference; no objection to the country for the Summer. Call at No. 833 West 57th st.

COOK.—BY AN ENGLISH COOK; NO OBJECTION to the country; good City reference. Address M. G., Box No. 262, TIMES UP-TOWN OFFCE, NO. 1,257 BROADWAY.

COOK.—BY A FIRST-CLASS COOK, IN A PRIVATE family; good City reference. Address C, Box No. 269 TIMES UP-TDWN OFFICE, 1,257 BROADWAY.

COOK.—BY A SMART, COMPETENT PERSON AS Cook; understands pastry, cooking in all its branches; good reference. Apply at 161 East 28th st.

COOK.—BY A RESPECTABLE GIRL AS COOK, washer and ironer; good City reference. Call at No. 302 East 35th st.

COOK.—BY AN ENGLISH WOMAN IN A PRIVATE family, or housekeeper. Inquire at No. 156 East Houston st., basement.

COOK.—BY A FIRST-CLASS COOK: NO OBJECtion to assist with the washing; good reference. Can be seen at No. 347 East 17th st.

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COOK—CHAMBERMAID.—BY TWO PROTESTant girls; one as cook, the other as chamber-maid and waitress; will do the washing and ironing at a small private family between them; three years and a half City reference from their last place. Call at or address No. 243 West 41st st.

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COOK—CHAMBERMAID, &c

MR. BEECHER ON TRIAL.

CONTINUATION OF THE REBUTTAL EVIDENCE.

Continued from Fourth Page.

Judge of the Supreme Court of the United States in this circuit. He says:

"Declarations of a witness cannot be given in evidence, except in answer to evidence of other declarations of the witness inconsistent to what he had on the stand sworn to."

And in another way the Court proceeds:

"The only reason for giving evidence of contradictory declarations of a witness, is to discredit the witness and impeach his credibility. When evidence has been given to produce a fact, it may be rebutted by evidence which destroys the effect of such testimony, and as it has been before remarked, it could make no difference in principle whether the impeachment arises from any evidence discrediting the witness, or from the cross-examination, or direct examination, if the witness has been on his own direct examination."

That is, of course, the case where he swore he was an accomplice, and if in this case Mrs. Moulton said she was an accomplice—

Mr. Beach—No; but your proposition would make her so unless there were other facts from corroborative witnesses outside.

Mr. Evarts—I said so, and I have proved it from what I said, except that the learned counsel tries to argue that an accomplice who discredits himself gets within the analogy of having been discredited by the evidence. If Mrs. Moulton has sworn that she is an accomplice—if you put her in that attitude, why, if that is your case, perhaps you may be able to show what she said before she became an accomplice.

Mr. Beach—Your proof puts her in that position.

Mr. Evarts—Oh, it does not; but suppose it does, it is only by having the witness testify to this, that, or the other thing. The question is whether you have been directly impeached either by the principal impeachment or by the collateral impeachment or by this quasi or imaginary impeachment of your own statement In the case of an actual accomplice in crime, of course the jury don't like to believe him unless they can't help it. That is always the rule. Now, when that is established, when the witness was reduced by evidence, you can rebut him by concurrent statements, and such evidence was admitted; but never, even in that state of the law, except in rebuttal of direct evidence of impeachment or collateral evidence of impeachment. This contradictory evidence the court has exploded; our court has exploded it, and since they exploded that general rule no witness has been admitted in any court in this State to give corroborative evidence by extra judicial statements in the same sense in which the witness has sworn in court. Every case that has been admitted to make an exception and in itself this infraction of the rule of evidence has failed, and of that there is abundant authority that it is more important in Finnegan's than in any other case. It is said you may rebut impeaching evidence if you have also the fact of changed relation; but if you have not that fact of changed relation you can't rebut. But here the offer is not to rebut, for no evidence has been offered, none pretended; and if we had offered it you could not introduce it into the case, because there was no changed relation. The imputation is that a wife falls under the shadow of her husband's power. If she had married since June, 1873, and her statements now made under that imputation of right or authority could be shown to be corroborated by statements out of court, and we had impeached her by statements out of court to the contrary of what she now says, they might have brought this within the ground of arguing to your Honor, whether the law of this State made any such exception as they contend for.

THE COURT RULES OUT THE EVIDENCE.

The Court—I am quite satisfied about this, Mr. Evarts. In the first place, without assuming to deny that there may be an exception to the general rule of evidence treating a question or this kind, because it would be remarkable if we could find a rule without an exception or a qualification, the real basis for this application is found in the opening of the learned counsel for the defendant, and in an observation made by the defendant himself in giving his testimony, an observation suggested, as it has been said by counsel, rhetorically. Now, that part of the opening of the learned counsel, if it does not prove that, goes for nothing; if it has not been proved, it ought not to have been made. If not proved it may as well not be in existence.

This observation, made by the defendant after having answered the question put to him, was uncalled for; it is a mere opinion, and does not appear to have any basis to rest upon. It does not, indeed, seem to be entitled to the respect of calling it an opinion. It is an uncharitable observation, resting at most on mere conjecture and suspicion. The theory, the suggestion—whether it is in evidence, or in the opening, or in the argument, or anywhere else—the theory that a wife who comes and testifies before a court under oath, before a court, and is cross-examined with great diligence and acuteness, is overshadowed by her husband and is under his control and influence, is a demoralizing theory unworthy a court of justice. And I shall instruct the jury not to be carried away by any such proposition. Better have no husbands if women can't come into court and testify without being perverted, in a moral sense, and fabricate, and invent, and swear to things they did not see because they were overshadowed by their husbands. I think this evidence cannot be received.

Mr. Beach—Your Honor will permit me to make the proposition in the proper form?

The Court—Yes, Sir.

Mr. Beach—We offer to prove by the witness upon the stand—

Mr. Evarts—That proposition has been made already.

Mr. Beach—Then I will remake it.

The Court—Go on.

Mr. Beach—We offer to prove by this witness that on the 2d of June, 1873, he called at the house in the evening, saw Mrs. Moulton, and that Mrs. Moulton then, being somewhat discomforted and agitated, communicated the facts of the conversation between herself and Mr. Beecher had upon that day in conformity with the evidence which she has given here, and we except to the ruling, if your Honor please.

The Court—Yes, ruled out.

Mr. Evarts—The time has already been identified.

Mr. Beach—Yes, Sir; and if this shall not identify the time, we shall offer to prove the same facts by the testimony of Mr. Eddy, who is in attendance.

Mr. Evarts—When Mrs. Eddy is on the stand we will see about it.

Mr. Beach—When the gentleman gets to making comments on the testimony before it is placed upon the stand, and when this testimony does not avail, I make the additional offer to prove that fact by other evidence—by that of Mrs. Eddy.

Mr. Evarts—I say, with regard to Mrs. Eddy, we will see about her when she is offered.

Mr. Beach—Yes, Sir; you have heard about it here.

The Court—The counsel has a right to offer it.

Mr. Evarts—Yes, if the gentleman wants to produce her.

The Court—It will stand in the same terms in which it was originally proposed, and does not differ from that question as to the matter of the duty.

Mr. Morris—We want that offer made as to her testimony.

Mr. Beach—I make the same offer with reference to Mrs. Eddy, a lady who is in attendance here as a witness.

Mr. Evarts—I don't want to say anything about it now.

Mr. Beach—I don't ask you to say anything with respect to it.

Mr. Evarts—The witness is not offered yet.

Mr. Beach—I offer her now.

Mr. Evarts—Is it necessary to call her on the stand?

The Court—I don't think it is important. I don't see why she should be called.

Mr. Evarts—The difference is in the confusion between what is this evidence that is excluded, and the alleged statement of facts that may be given in evidence. I don't know but what as a matter of fact they may have the right to prove it, but I say they can't prove what Mrs. Moulton said to other people before this trial. Any offer to prove that is covered by this, no doubt, without bringing any witness' name in whatever. It must not be mixed up with evidence of a person going there on a certain day, and hearing it on a certain day, and all that.

Judge Neilson—I think his offer might be taken down in the terms he proposes, I see no objection to that.

TESTIMONY OF MRS. SARAH EDDY.

Mrs. Sarah Eddy was next sworn, and examined by Mr. Fullerton as follows:

Q.—Where do you reside, Mrs. Eddy? A.—In Brooklyn.

Q.—What street and number, please? A.—No. 124 Montague street.

Q.—And be kind enough to state the name of your husband? A.—Robert Eddy.

Q.—How long have you resided in Brooklyn? A.—I have resided in Brooklyn two years.

Q.—Before that where did you reside? A.—In New-York.

Q.—With your father? A.—Yes, Sir.

Q.—Who was your father? A.—Josiah Sutherland.

Q.—Are you acquainted with Mr. Moulton and his family? A.—I am, Sir.

Q.—State whether you have been in the habit of visiting Mrs. Moulton? A.—I have.

Q.—When did your intimacy or acquaintance first commence? A.—About fifteen years ago.

Q.—Before or after your marriage? A.—Just before my marriage.

Q.—I want to call your attention to the year 1873; do you recollect visiting Mrs. Moulton during that year? A.—Yes, Sir.

Q.—Where did she reside in 1873? A.—No. 49 Remsen street.

Q.—Where she now resides? A.—Yes, Sir.

Q.—Do you know Mr. Henry Ward Beecher? A.—I have met him.

Q.—When did your acquaintance with him first commence? A.—I think in 1871.

Q.—State whether at any time in 1873 you met him at or near Mr. Moulton's house in Remsen street? A.—I met him just at or on the steps of Mr. Moulton's house.

Q.—When? A.—I think in the morning.

Q.—Where were you? A.—He was just coming out of the house.

Q.—You ascending the steps and he was descending? A.—Yes, Sir.

Q.—Were you acquainted with Mr. Beecher at that time? A.—Yes.

Q.—State whether or not he saluted you? A.—He did not.

Q.—Did you salute him? A.—I did not.

Q.—What was his appearance when you met him on that occasion, Mrs. Eddy? A.—He did not notice me; he seemed absorbed.

Q.—Did you see any one in the doorway or near the door of Mr. Moulton's house as you ascended the steps when you met Mr. Beecher? A.—No, Sir; I didn't observe anybody; Mrs. Moulton opened the door; the door was shut, but she must have seen me come up the steps.

Q.—Why do you think so? A.—Because she opened the door.

Q.—Without your ringing? A.—Yes, Sir.

Q.—Or knocking? A.—I did not knock.

Q.—Or ring? A.—No, Sir.

Q.—And Mrs. Moulton let you in, did she? A.—She did.

Q.—What was Mrs. Moulton's condition as she appeared?

Mr. Evarts—I object to that, if your Honor please; I object to that.

Judge Neilson—I think we will take that.

Mr. Evarts—Your Honor will note our exception?

Judge Neilson—Yes, Sir.

Mr. Fullerton—What was Mrs. Moulton's condition when you entered the room or the hall? A.—She was agitated.

Q.—Indicate, if you please, to what extent, whether it was slight or considerable? A.—She seemed greatly agitated.

Q.—Did you say anything to her upon the subject of her then agitation?

Mr. Evarts—I object to that—to any conversation between this lady and Mrs. Moulton.

Mr. Fullerton—That brings us now right to the question, Sir. We propose to show by this witness that Mrs. Moulton then and there told her what had taken place between Mr. Beecher and herself, in which she related substantially the same story to which she has testified here as a witness.

Judge Neilson—The same ruling, of course, you can take the same exception.

Mr. Fullerton—We except. Now, Mrs. Eddy, state whether you were in the habit of going into the country during the Summer months? A.—Yes, sir.

Q.—Did you go into the country in 1873 during the Summer months? A.—I did.

Q.—Where did you spend the Summer? A.—In Stamford, Duchess County.

Q.—What season of the year did you go there? The 1st day of July, I think.

Q.—And how long before you went into the country in the Summer of 1873 was it that you visited Mrs. Moulton and found her in the state of agitation that you have described and met Mr. Beecher? A.—I think shortly before I went there. I can't state the time positively.

Q.—You can't state the time positively? A.—No, Sir.

Q.—But you think it was shortly before you went into the country that year? A.—Yes, Sir.

Q.—Well, then, what period of time do you think you will be able to state? A.—Within two weeks, I think, positively.

Q.—Now one of the jurors asks what time in the day or morning it was when you went to Mrs. Moulton's? A.—I can't remember. I think it was in the morning, but I don't remember what time.

Q.—What time in the morning do you mean by that term? A.—Well, I should think early morning; pretty early.

Q.—Well? A.—About 11 or 12 o'clock.

CROSS-EXAMINATION.

Mr. Evarts—Mrs. Eddy, what does your intimacy or acquaintance with Mrs. Moulton date from? A.—About the time of my marriage.

Q.—What is your husband's name? A.—Robert Eddy.

Q.—And what connection had he, or has he, with the business of Woodruff & Robinson? A.—He is book-keeper in their establishment.

Q.—And for what length of time has he been? A.—For seventeen or eighteen years.

Q.—And remained so? A.—Yes, Sir.

Q.—Is he now in the employment of the new firm? A.—Yes, Sir.

Q.—Now, why do you think it was as late as 11 o'clock that you called at that house on the occasion that you have spoken of? A.—I usually call there about that time in the morning. I don't frequently go out before that time.

Q.—Not before 11? A.—No, Sir.

Q.—How far is your house from theirs? A.—Only a short distance.

Q.—The same street or the same block? A.—No, Sir; I live on Montague street.

Q.—Well, the same block? A.—No, Sir; about two blocks.

Q.—About two blocks? A.—Yes, Sir; over that.

Q.—And was your intimacy with Mrs. Moulton such that you were in the habit of running around there? A.—Yes, Sir.

Q.—And making informal calls as ladies frequently do? A.—Yes, Sir.

Q.—And this occasion that you called you have no means of identifying the time no nearer than it was a few weeks before the 1st of July? A.—No, Sir.

Q.—Now, do you know Mr. Wallace E. Caldwell? A.—I do, Sir.

Q.—He is a friend of yours? A.—Yes, Sir.

Q.—A family friend? A.—Yes, Sir.

Q.—Now, do you remember about his going to Europe that Summer, and when that occurred? A.—I remember he frequently goes to Europe in the Summer season. I don't remember that particularly.

Q.—You don't remember about that Summer—you don't know whether this visit was before or after he went to Europe? A.—No, Sir.

Q.—Well, Mrs. Eddy, do you remember at the time of this call Mr. Moulton was sick? A.—No, Sir; I do not remember.

Q.—What is your recollection of that? A.—I think he was not sick in the house.

Q.—Well, was he sick? A.—That I don't remember.

Q.—Have you no association of his sickness with this call? A.—I don't recollect; I think I asked Mrs. Moulton—

Q.—Well, no matter about the conversation. It is only your memory that I ask you about? A.—I don't recollect about that.

Q.—Well, what is your best recollection about it, whether at or about this time of your call, Mr. Moulton was understood by you to be sick? A.—I haven't any recollection about that, Sir.

Q.—No impression on that subject? A.—No, Sir.

Q.—Did you know of his being sick at all that Summer? A.—I don't remember that particular Summer, Sir; he has frequently been sick.

Q.—But you have no association with this call of yours—his sickness? A.—No, Sir.

MRS. EMMA R. MOULTON RECALLED.

Mr. Fullerton—Mrs. Moulton, you are acquainted with Mrs. Eddy, the witness who has last testified? A.—Yes, sir.

Q.—Do you recollect the call she made upon you in 1873? A.—Yes, sir.

Q.—To which she has testified? A.—Yes, sir.

Q.—On what day was that call made, with reference to the conversation which you had with Mr. Beecher to which you have testified, and which was supposed to be the 2d of June; on what day was Mrs. Eddy's call made with reference to that occurrence? A.—It was on the same day.

Q.—Was Mr. Beecher just leaving the house when Mrs. Eddy entered? A.—Yes, Sir; I think he had just left the house.

Mr. Fullerton—That is all I will prove by Mrs. Moulton now. I will have to recall her again on some other topics. That is all, Mrs. Moulton.

Mr. Shearman—Wait one moment, Madam.

Mr. Beach—We have only at this moment, Sir, recalled Mrs. Moulton for the purpose of closing up the subject which was introduced by Mrs. Eddy. We shall be under the necessity of recalling Mrs. Moulton again with regard to some points connected with Mr. Beecher and Mr. Tracy.

Judge Neilson—Certainly; that is right. It was proper to recall her when Mrs. Eddy was here. That is all, Mrs. Moulton.

Mr. Evarts—Mrs. Moulton, I might as well close up my part of the business.

Judge Neilson—Just as you please, Sir.

CROSS-EXAMINATION.

Mr. Evarts—Do you mean to say, Mrs. Moulton, that Mrs. Eddy called upon you on the second day of June? A.—Yes, Sir; it was on the day that I had that conversation with Mr. Beecher.

Q.—Well, you have stated that was on the second day of June. Do you mean now to state Mrs. Eddy called on you on the second day of June? A.—Yes, Sir.

Q.—Do you recollect that day as being the day on which she called? A.—I do; yes, Sir.

Q.—You think so? A.—I remember very distinctly that she called at that time.

Q.—You remember her calling, but I ask you do you remember her calling at that time on the 2d of June? A.—Yes, Sir.

Q.—How do you recollect it was the 2d of June? A.—Because it was on the 2d of June I had that conversation with Mr. Beecher.

Q.—And that is the only way you recollect Mrs. Eddy's call as being the 2d of June? A.—That is the only conversation I had with him where he talked of suicide, and I repeated that to her; that was on the 2d of June.

Mr. Evarts—I ask to have that about her repeating to her struck out.

Judge Neilson—Yes.

Mr. Evarts—The only association you have of Mrs. Eddy's call on the 2d of June is as being the day you had a conversation with Mr. Beecher, is it? A.—Yes; the only way I can fix it is that he came in on that day, and I repeated to her the conversation.

Q.—The 2d of June? A.—Yes, Sir; the conversation—

Mr. Evarts—That I move to strike out—repeating the conversation.

Q.—Is there anything in Mrs. Eddy's call that had relation to the 2d day of June? A.—Only the fact that I repeated the conversation to her.

Q.—Well, that was not her call, before she got there? A.—No, Sir.

Mr. Evarts—I ask again to have that struck out, if your Honor, please. Was there anything in Mrs. Eddy's call, in its purpose, that had to do with the 2d of June? A.—I cannot fix the call in any other way, except in relation to the conversation, because I repeated it to her.

Q.—Then it is wholly in regard to your opinion that you had a conversation with Mr. Beecher on the 2d of June, and you think she called on the 2d of June, is it? A.—Yes, Sir.

Mr. Evarts—All reference to the conversation I ask to have struck out.

TESTIMONY OF FREDERICK W. MITCHELL.

Mr. Fullerton—Mr. Mitchell, where do you reside? A.—I reside in Norwalk, Conn.

Q.—Where do you do business? A.—I have no present occupation.

Q.—What was your business in 1872-3? A.—My occupation in 1872 was a speculator in the office of W. D. Farr & Co., No. 72 Exchange court, New-York.

Q.—And what was your business in 1871? A.—I was employed with Woodhull & Cladin as book-keeper.

Q.—What offices did they occupy at that time? A.—No. 44 Broad street.

Mr. Beach—You seem to be able-bodied, will you please speak a little louder? A.—Yes, Sir.

Mr. Fullerton—How long did they occupy the offices at No. 44 Broad street? A.—Well, I don't recollect how long, I know they were there when I went there, and how long they occupied it after I left I am unable to tell.

Q.—When did you leave them? A.—In October, '71.

Q.—Did you visit them after they had removed their office from No. 44? A.—No, Sir.

Q.—And you left their employ when? A.—In October, 1871.

Q.—Did you know the colored boy in their employ by the name of Woodley? A.—Yes, Sir.

Q.—During what period was he in their employ? A.—I think he was there during the whole period when I was there.

Q.—In what capacity? A.—Well, I don't remember—about anything hardly. He was sweeping out the office, and once in a while he would take a few newspapers and sell them for something to eat. He was very poor.

Mr. Evarts—Well, that is a speculation.

Mr. Fullerton—To sell them on his own account? A.—Yes, Sir.

Mr. Fullerton—Well, that was not a speculation. [Laughter.]

Q.—Do you know whether he had any education? A.—Well, I don't think he had, because he could scarcely write his name.

Q.—Do you know whether he could read? A.—I don't remember.

Q.—Do you know of his ever making selections from exchanges to be printed? A.—I don't think he ever did.

Mr. Evarts—Just narrate what you know.

Mr. Fullerton—Did you ever see him do anything of the kind? A.—No.

Q.—What was your position with reference to his when he was in the office, attending to his business, whatever it was? A.—Well, I was book-keeper, behind the desk, and he was around at different parts of the office.

Q.—Was there anything in front of you; was your view obstructed? A.—No.

Q.—Did he ever stand behind the counter with you and make selections from newspapers? A.—No, Sir.

Q.—Well, what had he to do with the exchanges, so far as you observed? A.—Nothing more than to go to the Post Office for them.

Q.—What did he do with them after he got them? A.—Nothing but to deliver them.

Q.—Did you ever see him opening them? A.—No, Sir.

Q.—Nor marking any particular parts? A.—No, Sir.

Q.—Now, did he do anything beyond sweeping out the office and running to the Post Office that you knew of? A.—Well, nothing more than helping them put up the papers once in a while, unless mailing them once in a while, not regularly.

Q.—What hours did you spend in the office as book-keeper? A.—Well, I was there—I usually go to the office about 8:30 and left about 3:30.

Q.—What time did the office close? A.—Well, about 4 or 5 o'clock; I left before the office closed.

Q.—And how many rooms were there that he would have to sweep? A.—Well, the main office, the two rear rooms, besides the hall.

Q.—Was there any gas in the rear room? A.—I am not able to say, Sir; I don't remember whether there was or not.

Q.—Did you ever see Mr. Tilton there? A.—I have.

Q.—How frequently have you seen him? A.—Well, I am not able to say positively, but perhaps two or three times a week, maybe more or maybe less; I did not take particular notice.

Q.—Well, a great many other people visited the office, I suppose? A.—Yes, Sir.

Q.—Large numbers? A.—Well, it was not generally more than two or three at a time.

Q.—I have forgotten when your duties commenced there as book-keeper? A.—The 1st of February, 1871.

CROSS-EXAMINATION.

Mr. Evarts—You don't remember what Woodley did there in 1872, do you? A.—No, Sir; I do not.

Q.—Not at all? A.—No, Sir.

Q.—Did you know of the proficiency he made in writing and reading, in his attention to schooling, after he came North? A.—No, Sir; I haven't seen him since Oct. 1, 1871, to my knowledge.

Q.—You say you saw Mr. Tilton two or three times a week while you were there? A.—About that, I think; I don't know whether he commenced as soon as I was employed there or not; I have seen him there.

Q.—You have no recollection that he didn't commence as soon as you? A.—No, Sir; I have no recollection either way.

Q.—Well, did you know what Woodley had a month? A.—He didn't have anything according to my knowledge.

Q.—Didn't he do the book-keeping of that concern at the end? A.—I think not.

Q.—What was the book-keeping of the concern occupied about? A.—Stocks, &c.

Q.—Brokers' property? A.—Yes, Sir.

Q.—Did you have anything to do with the newspaper? A.—Once in a while I would help out with the mail when they were behind.

Q.—But your business as book-keeper had nothing to do with the newspaper establishment? A.—No, Sir.

Q.—Not at all? A.—No. Sir.

Q.—Now, when office was your desk in? A.—In the main office.

Q.—The outer? A.—The office near the front.

Q.—Were you exclusively occupied in that office? A.—Yes, Sir.

Q.—Didn't go into the other office? A.—Oh, you mean—I was not exclusively occupied in that office.

Q.—And what had you to do with the other office? A.—Well, Col. Blood's desk used to be in the rear office, and I had occasion to go in and see him at very short intervals.

Q.—On the stock questions? A.—Yes, on different things.

Q.—I mean the stocks? A.—Yes, Sir.

Q.—Not about the newspaper? A.—No, Sir.

Q.—You had no share in editing or publishing the newspaper? A.—No, Sir.

Q.—No responsibility for its articles? A.—No, Sir.

Q.—You say you left about 3:30; that was the end of your obligations about there? A.—Yes, Sir.

Q.—And you were not there later? A.—No, Sir, because I went home to Connecticut every day.

Q.—So you never remained later than that? A.—No, Sir, I did not.

Mr. Evarts—That is all.

Judge Neilson—That is all, Sir.

TESTIMONY OF MARY CATHARINE MACDONALD.

Mr. Fullerton—Catharine, where do you reside now? A.—In Livingston street.

Q.—What number? A.—No. 174 Livingston street at present.

Q.—With whom do you reside? A.—With Mr. Tilton.

Q.—How long have you resided with him? A.—Well, I have always made it my home a great many years. I didn't stay there altogether, I would go and come just as I pleased to his parents and back.

Q.—And during what period of time have you been in the habit of doing that? A.—For the last five or six years, ever since he kept house. I visited them occasionally, and then I have for the last three or four years been there pretty much altogether.

Q.—For the last three or four years you have been there altogether? A.—A few weeks now and then I would leave and go down to his parents, and come back again.

Q.—Where did his parents reside? A.—Keyport, New-Jersey.

Q.—What portion of the time did you spend at his parents, in New-Jersey? A.—Generally in the Summer time, five or six weeks, and sometimes two months.

Q.—State whether you were in the habit of going down there every Summer? A.—Nearly every Summer, not quite so long every Summer.

Q.—Do you recollect when Mrs. Tilton went to Monticello? A.—Yes, Sir.

Q.—Where were you when she went to Monticello? A.—I was in the house.

Q.—What house? A.—Mr. Tilton's house. I helped her to get ready to go.

Q.—Do you recollect what season of the year it was when she went to Monticello? A.—I think it was the latter part of July.

Q.—Do you recollect what year? A.—I don't know as I do, exactly.

Q.—See if you can remember the year when Mrs. Tilton went to Monticello? A.—It was about three or four years ago, I don't know which. I think it will be four Summers this Summer; four years, I think.

Q.—Well, are you at all certain as to the year when she went to Monticello? A.—I don't know.

Q.—Did she go there more than one Summer? A.—I think she did. I am not certain.

Q.—You think she went to Monticello more than once? A.—I am not certain that she did.

Q.—Did you ever see any letters Mrs. Tilton wrote back from Monticello? A.—I have seen none except what she wrote to myself.

Q.—Have you got that letter? A.—I haven't here.

Q.—Have you got it in your possession? A.—Yes, Sir; not here.

Q.—Where? A.—Down in Keyport.

Q.—Where did you remain after Mrs. Tilton went to Monticello? A.—I remained in the house in Livingston street for three or four days, I think. She went in the middle of the week, and I remained over Sunday.

Q.—You mean she went in the middle of the week? A.—Yes, Sir, and I staid at No. 174 Livingston street until after Sunday.

Q.—You mean the following Sunday? A.—Yes, Sir.

Q.—And where did you go after the following Sunday? A.—I think on Monday I went down to Keyport.

Q.—Where? A.—To Mr. Tilton's parents.

Q.—And now long did you remain at Keyport that time? A.—Four or five weeks, I suppose; I came up occasionally and spent a day and went back again.

Q.—Who went to Keyport with you on that occasion? A.—I don't know as any one did; there was Miss Turner, she was to go down on Monday; she left the house to go, but I don't think she got there until Tuesday.

Q.—Miss Turner was to go on Monday? A.—She was to go with me on Monday; she left the house on Monday before I did, but she didn't get to Keyport, I think, until Tuesday.

Q.—On what day did you arrive at Keyport? A.—On Monday afternoon; the boat goes at 4 o'clock, and I got there about 6 o'clock.

Q.—When you got there Bessie Turner was not there? A.—I—she was not; I am not certain about that, but I don't think she came until the next day.

Q.—What time the next day do you think she arrived there? A.—She could not get there before 6 o'clock in the evening, because the boat did not leave until 4; now and then there was an excursion boat, but it was not regular; I don't think she got there until about 6 o'clock.

Q.—Now, I want you to state whether—when you left on that day to go to Keyport, where Mr. Greeley was—if you know? A.—I don't know where he was.

Q.—Was he at Mr. Tilton's? A.—He was not; Mr. Tilton expected him, but he did not come.

Q.—I want you to state whether you designed going down to Keyport earlier than you did go at that time? A.—I think not; I didn't intend to go before Monday, but on Monday Mr. Tilton fixed a table for Mr. Greeley to write on in the front sitting-room in the second story; I assisted him on that day to arrange the table.

Q.—Was the table fixed in any peculiar way? A.—Nothing, only the table that was there was not big enough, and Mr. Tilton put something on the top of it to make it higher to write upon, and I assisted him in that.

Q.—What time did you get through with arranging that table? A.—Perhaps 11 or 12 o'clock, I won't be certain about that.

Q.—And what date was it you fixed that table? A.—I don't know the date. It was on a Monday, the Monday after Mrs. Tilton went away.

Q.—And what was the date on which you left to go to Keyport? A.—The very same day.

Q.—Do you know where Elizabeth Turner, or "Bessie" Turner, as she is called here, went after she left the house? A.—I could not say, but Mr. Tilton gave her money to pay her fare down to Keyport, and she took it and left the house; I don't know where she went to, but I don't think she went to Keyport that day.

Q.—Do you know how much money Mr. Tilton did give her? A.—I could not say; it was a bill; I could not say whether it was a $2 or $5 bill, it was either one.

Q.—What time did Bessie Turner leave that house? A.—It was after 10 o'clock; between 10 and 11 o'clock, I think, as well as I can remember.

Mr. Fullerton—I am reminded, your Honor, by my adversaries that it is time for adjournment. I beg your Honor's pardon for detaining you.

The court then adjourned.

CONGRESSMAN WILLIS' CADETSHIP.

To the Editor of the New-York Times:

SIR: The committee appointed to examine applicants for the West Point Cadetship in my district have made the following arrangements, which will be of interest to the residents of the district. Trusting you may be able to publish them, I am, very respectfully, B. A. WILLIS.

NEW-YORK, May 7, 1875.

The medical examination of candidates for the vacant cadetship from the Eleventh Congressional District of New-York will take place at the College of the City of New-York Tuesday, the 18th instant, at 10:30 o'clock in the morning. The literary examination of those who have passed the medical examination will be held at the same place and hour on the morning of Saturday, the 22d instant. The following statement partially indicates the subjects which the examination will cover:

The candidates must be able to read understandingly, and with proper accent and emphasis. They must be able to write from dictation sentences sufficient in number to test their qualifications both in handwriting and orthography.

In arithmetic they must be able to perform with accuracy the various operations of addition, subtraction, multiplication, and division of numbers, abstract, denominate, and fractional. They will be required to explain reduction, prime numbers, and factors of a number, the greatest common divisor and least common multiple, ratios and proportion, and rules and reasons for stating and solving questions in simple and compound proportion.

In English grammar they must be able to parse any ordinary sentence, and understand those portions usually taught under the heads of orthography, etymology, syntax, and prosody.

In geography they must be able to give the definitions of all the natural divisions of the earth's surface, the grand divisions of the Eastern and Western hemispheres, the locations, directions, and extent of mountains, capes, peninsulas, islands, seas, &c.; also boundaries and capitals.

Their knowledge under the head of United States cannot be too full. The candidate should be thoroughly informed as to the general features of the country, its boundaries, bays, gulfs, sounds, islands, and mountain ranges; the location and termination of important railroads, &c. In the history of the United States the candidates must be familiar with as much as is contained in the ordinary school histories.

THE COAL TRADE.

The Philadelphia *Ledger* of Monday, 10th inst., says: "The total anthracite production reported for the week ending on the 8th instant was 312,958 tons, and for the year to the same date 3,571,426 tons, against 5,255,740 to the same time last year, showing a decrease of 1,684,314 tons. The bituminous production reported for the week was 53,810 tons, and for the year 850,262 tons, against 798,930 tons to corresponding date last year, an increase of 51,452 tons. The total production of both kinds of coal for the week was 366,768 tons, and for the year 4,421,688 tons, against 6,054,670 tons to corresponding time last year, showing a decrease in both kinds of 1,632,982 tons. The quantity of coal sent to market last week from the Schuylkill region was rather under 30,000 tons, against 114,002 in corresponding week last year, and for the year so far the production is 827,713 tons less than to the same time last year, showing what that region has lost, to the profit of the other regions still at work. The Lehigh region is up to this time 1,050,508 tons short of its last year's production."

A WESTERN RAILWAY WAR.

RUSSELL SAGE VS. ALEXANDER MITCHELL.

CONTEST FOR THE CONTROL OF THE MILWAUKEE AND ST. PAUL ROAD—A HISTORY OF THE TROUBLE—STATEMENT OF THE PARTIES—THE TRUE STORY.

From Our Own Correspondent.

MILWAUKEE, Wis., Friday, May 7, 1875.

The inside history of the contest between Russell Sage, of New-York, and Alexander Mitchell, for the control of the Milwaukee and St. Paul Railroad, is yet to be told. First I will give the recent developments; then the statements of the two parties, and finally the true story. Mr. Mitchell has forwarded to the stockholders a circular soliciting their proxies for the approval of an act passed at the last session of the Wisconsin Legislature, providing for the election of directors for the company. To show the effect of the act it is necessary to go back a little. Some years ago a classification act was passed by the Legislature, which provided that one-third of the Directors of the company should be elected each year, to serve for three years. This of course would prevent any sudden change of policy in the management, two-thirds of the Directors holding over. The law presents itself as wise and conservative, and it would seem difficult to secure its repeal. How the repeal was secured this letter will explain after its effect is shown.

The act repealing the classification law was passed by the recent Legislature, and provides that the term of every Director shall expire in June, 1875, on the day of the annual election, when, under the former act, only one-third of the Directors would go out of office, and that all the Directors shall be elected annually. The acceptance of the repealing act is to be voted on before the election polls are opened at the annual meeting. It is to secure the adoption of this that Mr. Mitchell has sent his circulars asking for proxies to the stockholders.

Mr. Mitchell's statement through his friends and aids, officers of the company, in this city, runs in this style: Mr. Mitchell's admiration for home-rule is touched at the spectacle of a Wisconsin railroad in the control of New-York "sharks," and this contest is to decide whether New-York or Milwaukee shall in future exercise such control—Russell Sage, as the representative of New-York, and Alexander Mitchell as the representative of the interests of this city, this State, and the great North-west. Mr. Sage and his friends circulated reports against the integrity of the President of the company, Mr. Mitchell. Russell Sage and his friends—continue Mr. Mitchell's friends—are cold-blooded speculators, engaged in multitudinous Eastern interests, Wall street gold-gamblers, unable to understand and enter into the broad, liberal plans of Mr. Mitchell to bring prosperity and happiness to the agriculturists of the North-west. Mr. Sage has been responsible for the heartless discriminations in freight tariff for which, until now, Mr. Mitchell has quietly borne a share of condemnation. Messrs. James and Cowdrey, friends of Mr. Sage, have made themselves especially obnoxious to Mr. Mitchell, who loves the people of the North-west, by insisting that the entire management shall be vested in New-York capitalists; that it is in the highest degree wrong to have a President who is not a Wall street operator, and that the head officers should be located in the Metropolis. For these reasons Mr. Mitchell desires to deprive Russell Sage and his friends of any voice in the management of the road.

Mr. Sage speaks, also through friends here, to this effect: Mr. Mitchell draws a salary of $12,000 a year for doing nothing. His only object, (and Mr. Sage abhors such cold-blooded longing for lucre,) is to fill his own pockets with the money of the stockholders, taking every opportunity to squeeze this confiding corporation like a lemon. On the other hand, while Mr. Mitchell has been drawing pay for being a figure-head, the good Mr. Sage has attended to his every duty, and has borne the burden of managing the company's affairs in New-York without aid, without adequate compensation. Contrast this action once more with that of Mr. Mitchell, who has been absorbed in his plans to build up his bank, accumulate wealth, and make fortunes for himself and friends at the expense of the company. And here Mr. Sage says, through his friends, that it has been publicly charged on Wall street that Mr. Mitchell bought his way into Congress with the funds of the company. Further, the policy of the company in Wisconsin was shaped by Mitchell with the sole view of securing political influence. Mr. Sage's strongest objection to Mr. Mitchell is, that the latter used the railroad company to influence the late elections in this State.

There is much notorious truth in what these gentlemen say of one another, and, however great may be Mr. Mitchell's love for the people of the North-west and Mr. Sage's scruples against influencing elections by railroad money, the real cause of the trouble is entirely distinct from such love and such scruples. And here it is: The Milwaukee and St. Paul Company, a few years ago built a number of elevators in this city. The amount of money that is made out of them is simply astounding. Two cents a bushel is the price the management of the elevators secures for merely looking at wheat. This is immense, but it is not all. The control of the elevators keeps the management posted thoroughly as to the supply, and gives it the inside track on wheat corners, which have been of annual occurrence. On more than one occasion, when wheat was demanded to break a corner, and was on its way to the market, a bridge has, by remarkable fatality, burned by spontaneous combustion, and the corner has continued. These elevators were leased at large figures to Angus Smith, who made half a dozen fortunes out of the splendid prize. A year ago last Winter the elevators were taken away from him, and now the fight between Mitchell and Sage, the large part of the fight, is whether Mitchell's friends or Sage's friends shall control so splendid a source of income.

This leads to the explanation of how Mr. Mitchell secured the passage of the act repealing the Classification law referred to above. That Mitchell caused the defeat of Senator Carpenter is firmly believed, and as the majority in the Legislature was friendly to Carpenter, no act known to be favorable to Mitchell could be passed. This state of affairs resulted in the successful playing of one of the most skilful "Heathen Chinee" games on record. Angus Smith, being deprived of the management of the elevators, became an enemy to Mitchell, and effected a connection with the Chicago and North-western Company by which that company built an elevator here, giving Smith charge. Smith fought Mitchell on every occasion, and, as a consequence, was a much trusted Carpenter leader. This latter fact gave him influence with the Legislature. When the bill repealing the Classification act came up, in the Legislature, it was ostentatiously fathered and favored by Angus Smith, and the easy inference the Legislature drew was that it was hostile to Mitchell—and, of course, it was passed. The argument used to aid in its passage was that the Classification law operated to the advantage of the speculating Directors; that, having been elected for three years, they had no further occasion to hold stock during that term, and could unload and operate either to advance or depreciate it. And now it transpires that Angus Smith and Mitchell had effected a reconciliation, and that in consideration of his services in securing the passage of the Repealing act under the public belief that it was unfavorable to Mitchell, the latter is to restore Smith to the charge of the elevators. Jesse Hoyt is the mutual friend who brought about the reconciliation.

The people of Wisconsin and the North-west are indifferent as to the result, and consider there is little choice between hearing the road figure as a stock-gambling machine in New-York and as a political machine in Wisconsin. But they would like to see Mitchell and Sage tell the whole truth about one another, as they have been in partnership in many interesting transactions. Russell Sage is known in the North-west as the father of Credit Mobilier in the United States, and the history of the Sage-Mitchell partnership in the building of what is now the Chicago branch of the Milwaukee and St. Paul Railroad is only characteristic of other transactions of the same partnership. A company was organized by these gentlemen to construct an air-line road from Chicago to Milwaukee, which would enable trains to make the trip in two hours, and take away all the through freight and passenger business from the North-western Company, which followed the torturous shore of the lake through Racine, Kenosha, Evanston, and other important points. The road was built and sold by Sage and Mitchell to the Milwaukee and St. Paul Company at a profit of $3,000,000, the length of road being eighty-five miles. And how comes in the interesting part. The line is not enough shorter than the North-western to affect, in the least, the through business of that road; but, as it does not run through Racine, Kenosha, Evanston, &c., or any towns whatever, it loses all the valuable way business of those important points. To have run it through those places would have cost Sage and Mitchell a great deal of money for the right of way; to run it where it does run, away from all towns, the right of way was insignificant as to cost. So the Milwaukee and St

FINANCIAL AFFAIRS.

SALES AT THE STOCK EXCHANGE—MAY 10.

SALES BEFORE THE CALL—10 A. M.

100	Western Union	79¾	1700	Lake Shore	72
2500	do	79½	2000	do	71⅞
500	do	79½	1900	do	71¾
1500	do	79⅝	900	do	71¾
800	Pacific Mail	43⅞	100	do	71⅝
800	do	44	800	do	71⅝
100	do	43⅞	1300	do	71½
500	do	43⅝	100	do	71½
500	do	43⅜	600	do	71¾
900	Erie Railway	29¼	1100	do	71¼
1700	do	29⅜	1400	do	71⅜
2800	do	29⅜	700	do	71¼
2100	do	29¼	500	do	71¼
2100	do	29⅜	300	Ohio & Miss	26¾
1000	do	29	200	Toledo & Wabash	12⅜
1200	do	28⅞	800	do	12½
800	do	28⅝	100	St. L. & Kan. City	9
1200	do	28⅝	300	Union Pacific	76¼
5 00	do	28⅛	700	do	76¼
800	do	28⅝	300	do	76
1300	do	28¼	400	do	75⅞
700	do	28⅛	200	do	75⅞
1000	do	28	100	do	75⅝
1400	do	27⅞	800	do	75½
1500	do	27⅝	500	do	75¾
1100	do	27⅝	100	do	75⅝
2300	do	27¾	100	St. Paul Pref.	59
2600	do	27⅞	100	St. Paul	37¼
100	Rock Island	105⅜	100	do	37⅝
500	do	105¼	800	do	37½
100	N. Y. C. & Hud	106½	100	do	37⅝
500	North-west	53. 42	400	do	37½
400	do	41⅞	100	do	37¼
1500	do	42	100	do	37⅜
200	do	41⅝	100	do	36⅞
2600	do	27¼	100	do	37
900	do	27⅜	200	do	37¼
800	do	27¼	100	do	37⅜
3200	do	27⅝	100	Chic., M. & St. P.	85½
1700	do	27½		Pf. b. c.	58½
1000	do	27⅜	200	do	58¾
400	do	27⅝	400	do	58⅞
200	do	27⅜	100	T., W. & W. b. c.	58
2750	do	27½	300	do	58⅜
700	do	27⅝	300	do	58⅝
1600	do	27¼	80	do	58½
1400	do	27¼	15	do	58⅜
1300	do	27¼	50	do	58⅝
300	do	27¼	100	do	58½
1500	do	27¼	100	Del., L. & W. b. c.	110⅝
1100	do	27¼	100	do	110¼
300	do	27¼	100	do	110⅜
2100	do	27¼	100	At. & P. Pref. b. c.	103½
2900	do	27	600	Ohio & M. b. c.	26¾
2300	do	26⅞	100	do	26⅝
2300	do	26⅝	400	do	26⅜

SALES BEFORE THE CALL—12:30 P. M.

$4,000	Dist. of Col. 3-65s	73½	2100	Erie Railway	26¾
10,000	do	73¼	3600	do	26⅞
2500	Un. Pac. S. F.	93	4900	do	26¾
100	A. & P. Tel.	24⅞	200	do	27⅜
100	do	24¾	700	do	27⅜
50	do	25	100	Union Pacific	75½
2300	West. Union	79⅜	300	do	75⅝
100	do	79⅛	300	do	75⅜
400	do	79¼	100	do	75⅝
400	do	79⅜	100	do	75⅞
400	Rock Island	104⅜	100	Ohio & Miss.	26⅝
500	do	104⅞	100	do	26⅜
100	do	105	200	do	26⅝
2600	do	42⅞	1200	Lake Shore	72
900	do	43	100	do	71
1000	do	42⅞	100	do	71
200	do	42⅞	100	do	71¼
1000	do	43	1400	do	71¼
500	do	43⅛	100	do	71⅜
200	do	43⅜	100	do	71¾
1100	do	43⅜	100	do	71⅞
700	do	43⅜	100	do	71¾
200	do	43⅞	300	do	71¾
1100	do	43⅞	200	St. Paul	36¾
100	do	43⅝	100	do	36⅞
700	do	43¼	100	do	37
700	do	43¼	100	do	37⅜
1800	do	43¼	1700	do	37⅝
800	do	43¼	100	Union Pacific	75⅜
500	do	43⅝	100	do	75¾
500	do	43⅝	800	do	75⅝
100	do	43⅝	700	do	75¾
100	North-western	41½	300	do	75⅝
200	Tol. & Wabash	12¾	200	do	75⅞

GOVERNMENT STOCKS—10:15 AND 11:30 A. M.

$21,000	U. S. 6s, '81, R	12.122	
20,000	do	b. c.	12.122½
10,000	U. S. 5-20 C., '62		12.116⅞
1,000	U. S. 5-20C., '64		118
5,000	U. S. 5-20 C., '65		12.119⅞

FIRST BOARD—10:30 A. M.

$2,000	N. Car. 6s, Sp. Tax, 2d C		43¼
5,000	Tenn. 6s, N. S.		51
10,000	D. of C. 3.65s		73½
30,000	do	b.	73⅝
10,000	do	b. c. c.	73½
1,000	Elyn 6s, W. L.		102¾
4,000	N. J. C. 1st, Con.		105½
1,000	N. Y. C. 6s, '83		103¾
5,000	Mich. So. & N. I.		106⅝
5,000	do		106¾
5,000	do		106⅞
5,000	Mich. So. 2d		101¾
4,000	Clev. & T. S. F.		107
3,500	C. & P. 4th	b. c.	100
1,000	H. 1st, 7s, Con.		110
1,500	C. P. & A. Old		104½
1,000	Un. Pac. 1st		100½
1,000	Ill. 8s, Cent.		110
10,000	Del. & H. Can. 7s, '94		107⅛
2,000	Ohio & M. 2d		70
15	Fourth Nat. B		98⅛
27	Hanover Bank		97
25	Bank of R.		130
100	Quick. M. Co.	b. c.	18
95	Del. & H. C.	b. c.	120
200	At. & P. 2d		25
2400	W. U. Tel.	b. c.	79¼
300	do		79⅜
800	do	s3.	79⅛
600	do		79⅜
100	do		79⅝
1200	do		79⅞
400	do		79⅜
700	do	s3.	79
300	Erie Railway	b. c.	29
200	do		27⅞
1000	do		27⅜
1600	do		27⅝
2600	do		27¼
900	do		27⅜
800	do		27⅛
3200	do		27⅜
1700	do		27½
1000	do		27⅜
400	do	s3.	27⅛
200	do		27¼
2750	do		27½
700	do		27⅜
1600	do		27¼
1400	do		27¼
300	do	s3.	27¼
1500	do		27¼
1100	do		27¼
300	do	s3.	27¼
1500	do		27¼
1100	do		27¼
300	do		27¼
2100	do		27¼
2900	do		27
2300	do		26¾
2300	do		26⅝

SALES BEFORE THE CALL—12:30 P. M.

$4,000	Dist. of Col. 3-65s	73½	2100	Erie Railway	26¾
10,000	do	73¼	3600	do	26⅞
2500	Un. Pac. S. F.	93	4900	do	26¾
100	A. & P. Tel.	24⅞	200	do	27⅜
100	do	24¾	700	do	27⅜
50	do	25	100	Union Pacific	75½
2300	West. Union	79⅜	300	do	75⅝
100	do	79⅛	300	do	75⅜
400	do	79¼	100	do	75⅝
400	do	79⅜	100	do	75⅞
400	Rock Island	104⅜	100	Ohio & Miss.	26⅝
500	do	104⅞	100	do	26⅜
100	do	105	200	do	26⅝
2600	do	42⅞	1200	Lake Shore	72
900	do	43	100	do	71
1000	do	42⅞	100	do	71
200	do	42⅞	100	do	71¼
1000	do	43	1400	do	71¼
500	do	43⅛	100	do	71⅜
200	do	43⅜	100	do	71¾
1100	do	43⅜	100	do	71⅞
700	do	43⅜	100	do	71¾
200	do	43⅞	300	do	71¾
1100	do	43⅞	200	St. Paul	36¾
100	do	43⅝	100	do	36⅞
700	do	43¼	100	do	37
700	do	43¼	100	do	37⅜
1800	do	43¼	1700	do	37⅝
800	do	43¼	100	Union Pacific	75⅜
500	do	43⅝	100	do	75¾
500	do	43⅝	800	do	75⅝
100	do	43⅝	700	do	75¾
100	North-western	41½	300	do	75⅝
200	Tol. & Wabash	12¾	200	do	75⅞

GOVERNMENT STOCKS—2 P. M.

$10,000	U. S. 5-20 C., '65, new	122	
10,000	U. S. 5-20 R., '65	b. c.	122¾
4,000	U. S. 5s, R., '81		116
11,000	do		116⅞

SECOND BOARD—1 P. M.

$2,000	S. C. 6s New, June & July	34	
10,000	Tenn. 6s, new, no coupon	50	
15,000	Tenn. 6s, old, x coupon	b. c.	51
5,000	do	s.	51
1,000	Dist. of Col. 3-65s		73¼
10,000	do		73
17,000	N. Y. St. 7s, R., '91		109
5,000	do	b.	109
5,000	Brooklyn 7s, Park Loan		109¼
3,000	C. & N. W. Con.		87½
10,000	do		87
2,000	do	b. c.	87¼
5,000	C. & N. W. Sk. Fd.		87½
1,000	do		87¾
2,000	do	b. c.	87¼
5,000	C. & N. W. Sk. Fd.		87½
8,000	C. & N. W. Con.		93¼
5,000	U. Pac. 1st, b. c.		100¾
7,000	U. Pac. 7s, L. G.		98
17,000	U. Pac. S. F.		92
15,000	Mor. & Ka. 1st,		110½
4,000	Mor. & Ka. 2d,		107
10,000	Mor. & Ka. Con.		104¾
1,000	Mil. & St. P. 8s, Con.		105½
1,000	M. & St. P. 1st, C.		74½
14,000	C. & N. W. Con.		83¾
	Con. G. B.		87⅜
5,000	C. & N. W. Con.		83¾
1,000	Ill. 8s, Cent.		110¼
10,000	Del. & H. Can. 7s, '94		107⅛
2,000	Ohio & M. 2d		70
15	Fourth Nat. B		98⅛
27	Hanover Bank		97
25	Bank of R.		130
100	Quick. M. Co.	b. c.	18
95	Del. & H. C.	b. c.	120
200	At. & P. 2d		25
2400	W. U. Tel.	b. c.	79¼
300	do		79⅜
800	do	s3.	79⅛
600	do		79⅜
100	do		79⅝
1200	do		79⅞
400	do		79⅜
700	do	s3.	79
300	Erie Railway	b. c.	29
200	do		27⅞
1000	do		27⅜
1600	do		27⅝
2600	do		27¼
900	do		27⅜
800	do		27⅛
3200	do		27⅜
1700	do		27½
1000	do		27⅜
400	do	s3.	27⅛
200	do		27¼
2750	do		27½
700	do		27⅜
1600	do		27¼
1400	do		27¼
300	do	s3.	27¼
1500	do		27¼
1100	do		27¼
300	do		27¼
2100	do		27¼
2900	do		27
2300	do		26¾
2300	do		26⅝
5,000	C. & N. W. Con.		83¾
1,000	Ill. 8s, Cent.		110¼
10,000	Del. & H. Can. 7s, '94		107⅛
2,000	Ohio & M. 2d		70
15	Fourth Nat. B		98⅛
27	Hanover Bank		97
25	Bank of R.		130
100	Quick. M. Co.	b. c.	18
95	Del. & H. C.	b. c.	120
200	At. & P. 2d		25
2400	W. U. Tel.	b. c.	79¼
300	do		79⅜
800	do	s3.	79⅛
600	do		79⅜
100	do		79⅝
1200	do		79⅞
400	do		79⅜
700	do	s3.	79
300	Erie Railway	b. c.	29
200	do		27⅞
1000	do		27⅜
1600	do		27⅝
2600	do		27¼
900	do		27⅜
800	do		27⅛
3200	do		27⅜
1700	do		27½
1000	do		27⅜
400	do	s3.	27⅛
200	do		27¼
2750	do		27½
700	do		27⅜
1600	do		27¼
1400	do		27¼
300	do	s3.	27¼
1500	do		27¼
1100	do		27¼
300	do		27¼
2100	do		27¼
2900	do		27
2300	do		26¾
2300	do		26⅝
50	Atl. & Pac. Pf.		16
200	Kansas Pacific		22½
200	St. L. & K. City		8⅜
300	St. L. & K. C. Pf.		41
200	Alt. & T. Haute		8
100	do	s5.	8
1,000	Hud. R. 2d, S. F.		111¼
1,000	Mich. Cen. 7s		102½
1700	Lake Shore		72
2000	do		71⅞
1100	do		71¾
1400	do		71⅝
1300	do		71½
100	do	s3.	71¾
1600	do		71¾
1400	do		71⅞
1700	do		71¾
900	do		71⅝
1100	do		71¾
1200	do		71⅞
1400	do		72
1700	do		71⅞
1400	do		71¾
1600	do		71⅝
1400	do		71¾
1300

FINANCIAL.

VERMILYE & CO.

BANKERS,

16 and 18 Nassau st., New-York.

DEALERS IN ALL ISSUES OF GOVERNMENT SECURITIES,
NEW-YORK CITY
AND BROOKLYN BONDS,
BUY AND SELL ON COMMISSION
RAILWAY STOCKS, BONDS, AND GOLD.

INTEREST ON DEPOSITS.

WASH'N R. VERMILYE, DONALD MACKAY
JAS. A. TROWBRIDGE LATHAM A. FISH

George Opdyke & Co.,

BANKERS,

No. 25 Nassau st., New-York.

Transact a General Banking Business, RECEIVE DEPOSITS subject to check at sight, and allow interest on daily balances at the rate of FOUR PER CENT. per annum, credited monthly. Checks drawn upon us pass through the Clearing-house.

ISSUE CERTIFICATES OF DEPOSIT, payable on demand, or at fixed date, with interest as agreed upon.

MAKE COLLECTIONS at lowest rates with prompt returns.

EXECUTE INVESTMENT ORDERS and negotiate COMMERCIAL PAPER.

INVESTMENT SECURITIES a specialty.

J. & W. SELIGMAN & CO.,

BANKERS,

No. 21 Broad st., New-York,

Issue Letters of Credit for Travelers,

PAYABLE IN ANY PART OF EUROPE, ASIA, AFRICA, AUSTRALIA, AND AMERICA.

DRAW BILLS OF EXCHANGE AND MAKE TELEGRAPHIC TRANSFERS OF MONEY ON EUROPE AND CALIFORNIA.

THE PEOPLE OF THE UNITED STATES are interested in the establishment of an industrial palace in the City of New-York, which shall be larger and more magnificent than any of its predecessors.

The Legislature of New-York has granted a charter incorporating the Industrial Exhibition Company. This corporation proposes to erect a suitable building to be used as a perpetual palace of industry.

It is intended to have the building ready in time to receive the goods which will be exhibited in the Centennial at Philadelphia. By so doing this project becomes an aid to the Centennial, as those who propose to exhibit goods at the world's fair at Philadelphia will be justified in incurring a greater expense, knowing that on the close of that enterprise they can remove their wares from Philadelphia to New-York and again place them on exhibition, and also sell by sample. The industrial palace of New-York is destined to become the home of manufacturers and inventors. The people of this City are especially interested in this enterprise, for the reason that it will cause thousands of strangers from all portions of the world to visit New-York, not once, but annually, for business, and for pleasure, that, but for the Palace of Industry, would remain at home or visit other cities. This influx of strangers would leave annually millions of dollars, which would be distributed among the citizens of New-York. One of the great necessities of New-York is

RAPID TRANSIT.

Nothing will give capital more confidence that a rapid-transit railway will pay, than the building of a crystal palace. The strangers desiring to visit such an institution would alone make sufficient business to justify the building of a railway from the Battery to the Harlem River. Rival cities to New-York are making earnest and vigorous attempts to carry away the trade of New-York, and such attempts are partially successful. The people of New-York, if they would retain their position as the commercial Metropolis of the United States, must aid such enterprises as are destined, when completed, to attract strangers and business to New-York.

No one enterprise will tend more to accomplish this than the building of such a Palace of Industry as is proposed.

The Industrial Exhibition Company, for the purpose of raising the necessary means to carry out its plan, has made a bonded debt, and to enable persons of small means to aid in this great enterprise has made its bonds at $20 each, and half bonds at $10 each. Circulars sent free. All communications should be addressed INDUSTRIAL EXHIBITION COMPANY,
New-York City.

Traveling agents wanted.

A local agent wanted in each town in the United States and Canada.

DUNCAN, SHERMAN & CO.

BANKERS,

NOS. 9 AND 11 NASSAU ST., NEW-YORK,

Issue CIRCULAR NOTES and LETTERS OF CREDIT for TRAVELERS IN EUROPE AND THE EAST, available in all the principal cities also for use in the United States, West Indies, &c. TELEGRAPHIC TRANSFERS OF MONEY ON LONDON, PARIS, CALIFORNIA, HAVANA, MEXICO, CHINA, JAPAN, &c.

Accounts of Banks, Bankers, and others received.

7, 8, AND 10 PER CENT.

CHOICE CITY BONDS,

RAILROAD BONDS,

CITY RAILROAD STOCKS,

Insurance Stocks, and other first-class securities paying 10 to 15 per cent., at a reduction below par.

For sale by

ALBERT H. NICOLAY & CO.,
Stock Brokers and Auctioneers,
NO. 43 PINE ST., NEW-YORK.

N. B.—Investment securities our specialty twenty-three years.

NEW-YORK AND HARLEM RAILROAD COMPANY.—NOTICE TO STOCKHOLDERS.—The annual election for thirteen directors of this company will be held at the office of the company, Grand Central Depot, New-York City, on TUESDAY, the 18th day of May, 1875. The polls will be open from 12 o'clock noon until 2 o'clock P. M. of that day. The transfer books will be closed from 3 o'clock P. M. of the 8th day of April until 9 o'clock A. M. of the 19th day of May.
ROBERT J. M'IVEN, Secretary.
NEW-YORK, April 24, 1875.

OFFICE OF THE DELAWARE & HUDSON CANAL CO., No. 71 BROADWAY, NEW-YORK, April 8, 1875.

THE REGULAR ANNUAL MEETING OF THE STOCKHOLDERS of this company, for the election of managers and for other business, will be held at the office of the company, No. 71 Broadway, on TUESDAY, the 11th of May next. The polls will be open from 12 o'clock noon until 2 o'clock P. M. The transfer books will be closed from the evening of April 30 until the morning of May 12. By order of the Board,
GEORGE L. HAIGHT, Secretary.

ST. JOSEPH LEAD COMPANY,
NEW-YORK, May 3, 1875.

THE ANNUAL MEETING OF THE STOCKHOLDERS OF THE ST. JOSEPH LEAD COMPANY, for the election of Trustees and such other business as may be brought before them, will be held at the office of the company, No. 152 Broadway, on THURSDAY, May 13, 1875, at 1 o'clock P. M.
HUGH N. CAMP, Secretary.

OFFICE OF CHICAGO AND NORTH-WESTERN RAILWAY COMPANY, No. 52 WALL ST.,
NEW-YORK, April 23, 1875.

FOR THE PURPOSES OF THE ANNUAL election of this company, the transfer-books will be closed on the 29th inst., and be reopened on Saturday, June 5, next, at 10 A. M.
M. L. SYKES, Jr., Secretary.

THE FUNDED BONDS OF THE WEST Wisconsin Railway Company are now ready and being delivered by the New-York Guaranty and Indemnity Company, No. 52 Broadway. Bondholders will please send in their coupons and receive bonds for the same. For further particulars in relation to the plan of funding, please communicate with the office of the railway company, No. 84 Broadway.
S. Z. THOWERIDGE, Secretary.

S. Z. HOOVER & CO.,
GENERAL AGENTS.
No. 1,513 9th st., Washington, D. C.
Debts collected in District of Columbia, States of Virginia and Maryland; claims against the United States and District Governments, and business that may be attended by agents will receive our prompt attention.

THE TWENTY-EIGHTH ANNUAL ELECTION for Directors of the Pacific Mail Steam-ship Company, will be held at the offices of the company, Nos. 29 and 61 Wall st., WEDNESDAY, May 26, 1875, from 12 to 2 o'clock. The transfer books will close on Monday, May 17, at 3 P. M., and reopen Thursday, May 27, at 10 A. M.
JOHN S. BACON, Jr., Secretary.

REORGANIZATION OF THE NEW-YORK AND OSWEGO MIDLAND RAILROAD COMPANY.—The Utica plan is now ready on application to all First Mortgage Bondholders. To be sent free, by applying to A. D. MATHER & CO., Utica, N. Y.

DEFAULTED RAILROAD BONDS A SPECIALTY, purchased or bought by the old-established house of
ALBERT H. NICOLAY & CO.,
Stock Brokers and Auctioneers,
No. 43 Pine st., New-York.

ATLANTIC, COMMERCIAL, UNION, NEW-York, and Orient Marine Insurance Scrips wanted by WILLIAM C. GILMAN, No. 46 Pine st.

BROWN BROTHERS & CO.,
NO. 59 WALL ST.,
ISSUE COMMERCIAL and TRAVELERS' CREDITS
AVAILABLE in all PARTS of the WORLD.

NEW-JERSEY MORTGAGES CASHED WITHout delay by
A. D. MELLECK, Jr., & BRO., No. 12 Pine st.

$100,000 on first-class property.—Apply to J. F. WILLIAMS & SONS, 8th av., corner 34th st.

FINANCIAL.

TREASURY OF GEORGIA.

HOLDERS OF OVERDUE BONDS OF THE STATE OF GEORGIA,

which matured prior to the 1st day of January, 1872, are notified by the publication of the following act of the General Assembly, lately in session, that unless presented for examination and registration on or before the 1st day of August next they will become null and void, and be debarred from payment forever thereafter, in terms of said act, as follows:

AN ACT TO PROTECT THE PEOPLE OF THE STATE OF GEORGIA AGAINST THE PAYMENT OF PAST DUE BONDS.

Whereas, Divers bonds of the State of Georgia, which matured prior to the 1st day of January, 1872, are now in circulation; and, whereas, it is believed that all of said bonds have been paid, and have been illegally and fraudulently reissued and negotiated, and the extent and amount of said bonds, so reissued and negotiated, is unknown to this General Assembly:

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, That all persons holding bonds of the State of Georgia which matured prior to the first day of January, 1872, are hereby required to present the same to the Treasurer of the State, for registration, on or before the first day of August, 1875; and, upon the failure so to present said bonds, and to submit the same for registration, the same shall be deemed prima facie to have been paid, and to have been illegally or fraudulently reissued and negotiated.

SEC. 2. Be it further enacted, That it shall be the duty of the Treasurer of the State to provide and keep a suitable record book in which to register the bonds required to be registered under this act; and it shall be his duty to record the same thereon, and to require that the persons presenting the same shall establish continuous ownership for the last five years by the affidavit of each bona-fide holder, through whose hands they shall have passed, showing from whom the bonds were bought and to whom they were sold, giving number of bond presented, date of issue, when due, denomination, time, amount, by whom presented, when presented, character of issue, and the reason for having delayed their presentation for payment so long after maturity, and such other information as will enable the General Assembly fully to identify the same.

SEC. 3. Be it further enacted, That the Treasurer be, and he is hereby, prohibited from paying any of the bonds of the State which matured prior to the first day of January, 1872, or any interest thereon, except as hereinafter provided.

SEC. 4. Be it further enacted, That at the expiration of the time mentioned in this act for the registration of the bonds aforesaid, to wit, the first day of August, 1875, it shall be the duty of the Treasurer to present the record-book, thus kept, to the Governor, who is hereby authorized to allow and direct the Treasurer to pay such past due bonds, so recorded, as shall appear to him, from all the circumstances connected therewith, to be properly chargeable to the State and entitled to payment.

SEC. 5. Be it further enacted, That it shall be the duty of the Treasurer, immediately upon the passage of this act, to give notice of the provisions, thereby publishing the same at least two months in two newspapers published in the City of Atlanta, and two in the City of New-York.

SEC. 6. Repeals conflicting laws.

Approved March 2, 1875.

JOHN JONES, Treasurer.

BUTCHERS' AND DROVERS' BANK,
NEW-YORK, May 10, 1875.

NOTICE IS HEREBY GIVEN THAT THE outstanding circulating notes of the Butchers' and Drovers' Bank, (an incorporated bank,) will be redeemed at par on presentation at the New-York State National Bank in the City of Albany, N. Y., at any time within two years after the date of this notice; and all persons holding any of said circulating notes are hereby required to present the same for redemption at said New-York State National Bank on or before the 29th day of May, 1877, on which day the time for the redemption of said circulating notes will expire, and the circulating notes not then having been presented shall cease to be a claim or lien upon the property or funds of said Butchers' and Drovers' Bank, as provided in chapter No. 583 laws of New-York, passed May 22, 1873.
By order of the Trustees.
my11 1w-6mT G. G. BRINCKERHOFF, Cashier.

CHICAGO AND NORTH-WESTERN RAILWAY COMPANY, April 27, 1875.

THE ANNUAL MEETING OF THE STOCKholders and bondholders of the Chicago and North-western Railway Company for the election of Directors, pursuant to law, and for the transaction of such other business as may come before said meeting, will be held at the office of the company, in the City of Chicago, on THURSDAY, the 3d day of June next, at 1 o'clock P. M. Bondholders will authenticate their right to vote by presenting their voting bonds at the office of the company, No. 52 Wall st., New-York, for registration, on or before the 3d of May proximo.
ALBERT KEEP, President.
M. L. SYKES, Jr., Secretary.

OFFICE OF THE NEW-YORK MUTUAL GAS LIGHT CO., No. E. CORNER 4TH AV. AND 10TH ST., UNION SQUARE,
NEW-YORK, May 8, 1875.

THE ANNUAL MEETING OF THE STOCKholders of the New-York Mutual Gas Light Company, for the election of sixteen Directors and three Inspectors of Election for the ensuing year, will be held at the office of the company, in the City of New-York, on TUESDAY, May 18, 1875, the polls for which election will be opened between the hours of 12 M. and 1 o'clock P. M., of that day. The transfer books of the company will be closed for ten days (10 days) prior to said election. By order of the Board of Directors.
CHARLES PLACE, Secretary.

WILSON H. BLACKWELL, Auctioneer.

NOTICE IS HEREBY GIVEN THAT THE undersigned, as Assignee in Bankruptcy of DAVID P. WEBSTER, CHARLES C. LEWIS, and ALMAR P. WEBSTER, will sell, by Blackwell & Utley, Auctioneers, at public auction, at the Exchange Sales-room, No. 111 Broadway, New-York City, on May 20, 1875, at 12 o'clock noon, 3,000 shares, being the entire capital stock of The New-York Lead Smelting Company.
Dated May 3, 1875.
GEORGE W. PLATT, Assignee,
No. 20 Maiden lane, New-York.

UTICA, CHENANGO AND SUSQUEHANNA VALLEY RAILROAD, SIX per Cent Stock Interest-payable semi-annually by Delaware, Lackawanna and Western Railroad Company, and guaranteed by perpetual lease to that company. For sale by
WILLIAM ALEXANDER SMITH and BIDDLE & CO.,
Bankers, No. 40 Wall st.

N. Y. MUTUAL GAS;
GREAT WESTERN INS.; NATIONAL TRUST;
THIRD AVENUE RAILROAD, and
New-York Guaranty and Indemnity Stocks,
BOUGHT AND SOLD BY W. C. NOYES, 4 AND 6 PINE ST.

BANKERS AND BROKERS' ASSOCIATION.
NINTH DIVIDEND.

The Trustees have declared a Dividend of Eight per Cent., payable on the paid up capital, May 15. The transfer-books will close May 12, and be reopened May 17.
J. L. BROWNELL, Secretary.
NEW-YORK, May 5, 1875.

MISCELLANEOUS.

NOTICE OF SALE.

The BUILDING MATERIAL COMPANY have to-day sold their interest in their store-house and improvements at No. 360 West street, to Messrs. ROWE & DENMAN, who will continue the sale of building material for their own account at the above-mentioned premises.

All claims against the company will be promptly paid on presentation by the Treasurer, Marc Eidlitz, Box No. 60 Mechanics' and Traders' Exchange, No. 24 Murray st., who is also authorized to collect all debts due the company.
NEW-YORK, April 30, 1875.
JOSEPH SMITH, President.
J. J. TUCKER, Secretary.

ICE! ICE! ICE!

The CONSUMERS' ICE CO., office, No. 146 Horatio st., will supply ice to families and offices at the following prices, viz.:

8 to 10 pounds daily.....30c. per week.
12 to 15 pounds daily.....40c. per week.
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FURNITURE WANTED ON HIRE FOR ONE YEAR.—A family about going away for a year and wishing of storing their furniture, can find a far more advantageous way of having it carefully kept, in renting it to a small family of adults, (careful and responsible parties,) for a year or more: a parlor, library, dining-room, and three bed-room sets will be wanted, and must be in good condition every way, and will be really much less likely to damage than in storing. Address with particulars, "Furniture," Box No. 111 *Times* Office.

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SHOW-CASES AT REDUCED PRICES.—The largest assortment of all styles and shapes in the City at HOFFMAN & PERSON'S, No. 149 Canal st.

EXCURSIONS.

FOR SEA CLIFF, COLLEGE POINT, AND CITY ISLAND.—Steamer GENERAL SEDGWICK will leave Pier No. 24, (Peck Slip,) East River, daily (Sunday excepted,) at 9 o'clock A. M.; returning, leave Sea Cliff, 3:30 P. M.; City Island, 4; College Point, 4:30, stopping at 35th st. each way, after June 1; will leave here 8:30; Sea Cliff, 4. Large discount from regular fare for excursion parties. Apply to H. DUBOIS, 119 South st., N. Y., or J. R. CORNELL, 44 Court st., Brooklyn

MARBLE MANTELS.

A GREAT REDUCTION IN PRICES OF marble and marbleized mantels; all kinds of floor tiling, monuments, headstones, slabs for plumbers and cabinet-makers, now offered at S. KLABER & CO.'S Steam Marble Works, 217 to 223 West 51st st., near Broadway

STEWART'S SLATE MANTELS, MARBLE AND Wood Mantels. Rich and elegant designs at the lowest prices. 220 and 222 West 23d st., bet. 7th and 8th avs

RAILROADS.

PENNSYLVANIA RAILROAD,
THE GREAT TRUNK LINE
AND UNITED STATES MAIL ROUTE.

Trains leave New-York from foot of Desbrosses and Courtlandt sts., as follows:

Express for Harrisburg, Pittsburg, the West and South, with Pullman Palace Cars attached, 9:30 A. M., 5 and 8:30 P. M. Sunday, 5 and 8:30 P. M.

For Williamsport and Lock Haven, (via Philadelphia and Erie Railroad Division, connecting at Philadelphia,) 9:30 A. M. For Williamsport, Lock Haven, Corry, and Erie, 8:30 P. M., connecting at Corry for Titusville, Petroleum Centre, and the Oil Regions.

For Baltimore, Washington, and the South, "Limited Washington Express" of Pullman Parlor Cars daily, except Sunday, 9:30 A. M.; arrive Washington 4:10 P. M. Regular at 8:40 A. M.; 3 and 9 P. M. Sunday, 9 P. M.

Express for Philadelphia, 7, 7:30, 8:40, 9:30 A. M., 12:30, 3, 4, 4:10, 4:50, 5, 7, 8:30, 9 P. M, and 12 night, Sunday, 4:50, 5, 7, 8:30, and 9 P. M. Emigrant and second class, 7 P. M.

For Newark at 6, 6:30, 7, 7:40, 8, 9, 10, 11 A. M., 12 M., 1, 2, 2:30, 3:10, 3:40, 4:10, 4:30, 5, 5:20, 5:40, 6, 6:10, 6:30, 7, 7:30, 8:10, 10, 11:30 P. M., and 12 night. Sunday, 5:20, 7, and 8:10 P. M.

For Elizabeth, 6, 6:30, 7, 7:40, 8, 9, 10 A. M., 12 M., 1, 2, 2:30, 3:10, 3:40, 4:10, 4:30, 4:50, 5:20, 5:40, 6, 6:10, 6:30, 7, 7:30, 8:10, 10, 11:30 P. M., and 12 night. Sunday, 5:20, 7, and 8:10 P. M.

For Rahway, 6, 6:30, 7, 8, 10 A. M., 12 M., 1, 2, 2:30, 3:10, 3:40, 4:10, 4:30, 4:50, 5:20, 5:40, 6, 6:10, 6:30, 7, 8:10, 10 P. M., and 12 night. Sunday, 5:20 and 7, P. M.

For Woodbridge, Perth Amboy, and South Amboy, 6 and 10 A. M., 2:30, 4:50, and 6 P. M.

For New-Brunswick, 7, 8, 10 A. M., 12 M., 2, 3:10, 4:10, 5:20, 6:10, 7 P. M. and 12 night. Sunday 7 P. M.

For East Millstone, 12 noon, 3 and 5:20 P. M.

For Kingston and Rocky Hill, 8:40 A. M. and 4:10 P. M.

For Princeton, 7, 8:40 A. M., 12:30, 2, 4:10 and 7 P. M.

For Lambertville and Flemington, 9:30 A. M. and 2 P. M.

For Phillipsburg and Belvidere, 9:30 A. M. and 2 P. M.

For Trenton, Bordentown, Burlington, and Camden, 7 and 9:30 A. M., 12:30, 2, 4, 5, and 7 P. M.

For Freehold, 7 A. M., 2 and 4:10 P. M.

For Farmingdale and Squankum, 7 A. M. and 2 P. M.

For Hightstown, Pemberton, and Camden, via Perth Amboy, 2:30 P. M.

For Hightstown and Pemberton, 6 A. M.

Trains will arrive as follows: From Pittsburg, 6:55 and 11:20 A. M. and 10:35 P. M., daily. 10:15 A. M. and 7:40 P. M., daily, except Monday. From Washington and Baltimore, 6:20 A. M., 4:15, 5:35, and 10:27 P. M. Sunday 6:20 A. M. and 10:27 P. M. From Philadelphia, 5:10, 6:20, 6:55, 10:15, 11:20, 11:54 A. M., 2:15, 4:15, 5:15, 7:35, 7:40, 8:44, 10:27 P. M. Sunday 5:10, 6:20, 6:55, 11:54 A. M., 7:40 and 10:27 P. M.

Ticket Offices, Nos. 526 and 944 Broadway. No. 1 Astor House, and foot of Desbrosses and Courtlandt sts.; No. 4 Court st., Brooklyn; Nos. 114, 116, and 118 Hudson st., Hoboken. Emigrant Ticket Office, No. 8 Battery place.

FRANK THOMSON, General Manager. D. M. BOYD, Jr., General Passenger Agent

CENTRAL RAILROAD OF NEW-JERSEY.
ALLENTOWN LINE TO THE WEST.

Passenger and Freight Station in New-York, foot of Liberty st. Connects at Somerville with South Branch Railroad; at Hampton Junction with Delaware, Lackawanna and Western Railroad; at Phillipsburg with Lehigh and Susquehanna Division; also with Lehigh Valley Railroad. Direct line to Harrisburg, Pittsburg, and the West, also to Central Pennsylvania and New-York State.

SPRING ARRANGEMENT.

Commencing April 12, 1875.—Leave New-York as follows:

5:15 A. M.—News Train for Easton, Bethlehem, Bath, Allentown, Mauch Chunk, Tamaqua, Tamanend, Wilkesbarre, Scranton, &c.

6 A. M.—Way Train for Somerville and Flemington.

7 A. M.—Way Train for Easton, Belvidere, Mauch Chunk, Wilkesbarre, Easton, Mahanoy City, Mt. Carmel, Hazleton, Tunkhannock, Towanda, Waverly, &c. Connects at Junction with Delaware, Lackawanna and Western Railroad.

9 A. M.—Morning Express, daily, (except Sundays,) for Easton, Allentown, Harrisburg, and the West. Connects at Somerville for Flemington; at Easton for Mauch Chunk, Tamaqua, Towanda, Wilkesbarre, Scranton, &c., with through cars to Danville, Williamsport, &c.

10:30 A. M.—Way Train for Somerville.

12:45 P. M.—Express for Flemington, Easton, Bath, Allentown, Mauch Chunk, Mahanoy City, Hazleton, Wilkesbarre, Scranton, Reading, Columbia, Lancaster, Ephrata, Pottsville, Harrisburg, &c.

2:30 P. M.—Way Train for Easton, Catasauqua, and Belvidere.

3:30 P. M.—Way Train for Plainfield.

4 P. M.—Way Train for Easton, Allentown, and Mauch Chunk. Connects at Junction with Delaware, Lackawanna and Western Railroad.

4:30 P. M.—Way Train for Somerville and Flemington.

5 P. M.—Way Train for Plainfield.

5:15 P. M.—Evening Express, daily, for Easton, Allentown, Mauch Chunk, Wilkesbarre, Towanda, Reading, Harrisburg, Pittsburg, Chicago, &c.

5:30 P. M.—Way Train for Somerville.

6 and 6:45 P. M.—Way Trains for Somerville.

7:30 P. M.—(Emigrant.)—For Easton.

8:15 P. M.—Way Train for Somerville.

12 P. M.—For Plainfield.

For Elizabeth at 5:15, 6, 6:10, 6:40, 7, 7:30, 8, 8:45, 9, 9:30, 10:30, 11:15 A. M., 12 M., 12:45, 1, 2, 2:30, 3, 3:30, 3:45, 4:15, 4:30, 4:45, 5, 5:15, 5:30, 5:45, 6, 6:15, 6:30, 7, 7:30, 7:45, 8:30, 9:15, 10:30, 11:15, 12 P. M.

R. E. RICKER, Superintendent and Engineer.
H. P. BALDWIN, General Passenger Agent.

NEW-YORK CENTRAL AND HUDSON RIVER RAILROAD.—After Nov. 15, 1874, trains will leave Grand Central Depot:

8:00 A. M., Chicago and Northern Express, with drawing-room cars through to Rochester and St. Albans.

10:30 A. M., special Chicago Express, with drawing-room cars to Rochester and Buffalo.

11:00 A. M., Northern and Western Express.

4:00 P. M., Montreal Express, with sleeping cars from New-York to St. Albans.

6:00 P. M., Express, daily, with sleeping cars for Watertown and Canandaigua.

8:00 P. M., Pacific Express, daily, with sleeping cars for Rochester, Buffalo, and Niagara Falls; also for Chicago, via both L. S. and M. C. Railroads.

11:00 P. M., Express, with sleeping cars for Troy and Albany. Way trains as per Local Time Table.

C. H. KENDRICK, General Passenger Agent.

ERIE RAILWAY.

Winter Arrangements of through trains, December 1874. From Chambers Street Depot. (For 23d St. see note below.)

9:00 A. M., daily, except Sundays, Cincinnati and Chicago Day Express. Drawing-room coaches to Buffalo and sleeping coaches to Cincinnati and Detroit.

10:45 A. M., daily, except Sundays, Express Mail for Buffalo and Niagara Falls. Sleeping coach to Buffalo.

4:30 P. M., daily, Pacific Express to the West. Sleeping coaches through to Buffalo, Niagara Falls, Cincinnati, Detroit and Chicago without change.

7:00 P. M., except Sundays, Western Emigrant train

Above P. M. trains from Twenty-third Street Ferry at 8:45 and 10:15 A. M., and 6:45 P. M.

For local trains, see time-tables and cards in hotels and depots.

JNO. N. ABBOTT, General Passenger Agent.

NEW-YORK, NEW-HAVEN AND HARTFORD RAILROAD.

After Nov. 30, 1874, trains leave Grand Central Depot (42d st.) for New-Canaan Railroad at 8:05 A. M., 1:00 and 4:38 P. M.; Danbury and Norwalk Railroad at 8:05 A. M., 3:00 and 4:38 P. M.; Naugatuck Railroad at 8:05 A. M. and 2 P. M.; Housatonic Railroad at 8:05 A. M. and 3 P. M.; New-Haven and Northampton Railroad at 8:05 A. M. and 3 P. M.; for Newport at 8:05 A. M. and 1 P. M.; Boston and Albany Railroad at 8:05 and 10 A. M., 3 and 8:10 P. M., (7 P. M. on Sunday;) Boston (via Shore Line) at 1 and 9:10 P. M., (9:10 P. M. on Sundays.) Way trains as per local time tables.

J. T. MOODY, Superintendent New-York Division.
E. M. REED, Vice President New-York.

WICKFORD RAILROAD ROUTE TO NEWport, R. I.—Passengers for this line take 8:05 A. M. and 1 P. M. express trains from Grand Central Depot, arriving at 4:20 and 8:20 P. M.
THEODORE WARREN, Supt.

INSTRUCTION.

ALLEN DODWORTH'S ACADEMY FOR DANCING, No. 213 5th av., corner 26th st., will reopen Oct. 16. During vacation, private lessons may be had.

A LADY WOULD LIKE TO OBTAIN A position as cashier, book-keeper, or to take charge of an institution, school, or gentleman's family—being competent to instruct in Latin, French, and the English branches; references exchanged. Address P., Box No. 74 Orange Valley Station, N. J.

PAINE'S COLLEGE, NO. 62 BOWERY.—Established 1849. Book-keeping, arithmetic, grammar, spelling; writing lessons, $3 monthly; backward persons and foreigners taught privately; ladies qualified as book-keepers.

FRENCH CONVERSATION BY A PARISIAN gentleman: City references; ten weeks, three lessons weekly, $25 at pupil's; $36 in classes of ten. Address FRENCH, Box No. 283 TIMES UP-TOWN OFFICE, NO. 1,257 BROADWAY.

BOARD FOR CHILDREN IN THE COUNTRY for the Summer or year, with instruction if desired, at Mr. COOKER'S Home School, Old Bridge, N. J. Terms moderate.

SEDGWICK INSTITUTE, GREAT BARRINGton, Mass.—This school, finely located, in southern Berkshire, will receive boys under thirteen on very moderate terms. JAMES BIRD, A. M., Principal.

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IRVING'S SCHOOL OF ART,
No. 67 University place, between 12th and 13th sts., open during the Summer.

CHARLIER INSTITUTE, NO. 108 WEST 59TH st.—Boarding and Day School; special preparation for college; new and splendid building.

MRS. JONSON AND MISS JONES' ENGLISH, French, and German boarding and day school for young ladies and children, 12 East 31st st., New-York.

GIRARD INSTITUTE, NO. 35 EAST 62D ST., Central Park.—Select Day and Boarding School for boys. Pupils prepared for colleges and business.

TEACHERS.

A BARRISTER.—PROFESSOR OF THE UNIVERsity of Brussels, married and without children, well acquainted with ancient and modern languages, would receive a young gentleman of good family and education, whom he would prepare for the study of the law or any liberal profession. Apply to the Belgian *Nemo*, initials Y. Z., at Brussels, Belgium, or to LEON LAUVAUX, Superintendent at the Clark Mine, Copper Harbor, Mich.

PRIVATE PUPILS PREPARED FOR COLlege by a tutor from Harvard. Address L. M., Box 287 TIMES UP-TOWN OFFICE, NO. 1,257 BROADWAY.

WANTED—BY A LADY, AN OPPORTUNITY TO go abroad as English teacher in a family, or companion to an invalid; good reference. Address S. E. B. No. 44 West 24th st.

PROF. B. KUTTNER, TEACHER OF GERman language and literature. No. 993 2d av., or Dolbear's College, No. 1,193 Broadway.

BUSINESS CHANCES.

THE ADVERTISER, A MINING ENGINEER of experience, particularly in lead mines, knowing what he asserts and prepared to substantiate his assertions, offers a lead property in Missouri; no extravagant price asked: an interest to be retained and the money to be used in development. Will repay investigation. Address, with real name, "LEAD MINE," Box No. 152 *Times* Office.

VALUABLE PATENT ON SAW-MILLS JUST issued; will sell part of United States and entire Canada right. F. E. TOWN No. 181 Broadway, Room No. 2.

BOARDING AND LODGING.

THE UP-TOWN OFFICE OF THE TIMES.

The up-town office of THE TIMES is located at No. 1,257 Broadway, bet. 31st and 32d sts. Open daily, Sundays included, from 4 A. M. to 9 P. M. Subscriptions received, and copies of THE TIMES for sale.

ADVERTISEMENTS RECEIVED UNTIL 9 P. M.

A STRICTLY PRIVATE FAMILY, RESIDING in East 18th st., convenient to Clarendon, Gramercy, Westminster, and Everett Hotels, would rent, without board, to a single gentleman, a front room, bedroom connecting, with modern conveniences. Those wishing first-class accommodations may address, with name, B., Box No. 187 *Times* Office.

HARLEM BOARD.—A SECOND FLOOR SUITable for a family or a party of single gentlemen; a delightful Summer residence with ample grounds; house first-class; two minutes' walk from the cars and boat; Spanish spoken; references. Apply at No. 52 East 128th st.

FIRST FLOOR, NO. 106 EAST 23D ST., with or without board; private table if desired. Rooms en suite or singly in adjoining house, No. 108, second floor front rooms; also, third floor back rooms. Parties wishing to make arrangements for the year liberally dealt with. References exchanged.

BOARD.—NO. 434 5TH AV.—A VERY CHOICE suite of apartments, consisting of parlor, dining-room, three bed-rooms, with bath-room attached, and with private table; will be vacated on the 10th, and rented at Summer prices, or by the year.

A LADY, OWNING HOUSE IN 42D ST., NEAR 6th av., will rent second-story front room, furnished, at a sacrifice; also, elegant office for a physician. Address PROMPTITUDE, Box No. 315 TIMES UP-TOWN OFFICE, NO. 1,257 BROADWAY.

WINCHESTER HOUSE.—EUROPEAN PLAN—Corner Broadway and 31st st.—This hotel is now fitted in elegant style, embracing all the modern improvements, hot and cold water, baths, &c.; pleasant and comfortable single and family rooms.

NO. 108 WEST 42D ST., NEAR THE PARK.—Handsomely furnished rooms to rent with or without private table; also one single room; references exchanged.

NO. 36 EAST 20TH ST.—PARLOR FLOOR, three large rooms, handsomely furnished; private bath-room, closets, &c.; with private table; also rooms for gentlemen without board.

NO. 17 WEST 24TH ST., NEAR BROADWAY.—Handsomely furnished and unusually fine rooms; also nice single rooms, with or without board; house strictly first-class; reference required.

NO. 63 MACDOUGAL ST., NEAR WASHINGton Park.—In private family, a married couple or two gentlemen can get newly furnished pleasant rooms, with good board at moderate rates; references.

NO. 4 WEST 29TH ST.—HANDSOME PARLOR and bedroom on third floor, front, with board; favorable arrangements can now be made for the Summer or year.

A LARGE, WELL-FURNISHED ROOM near Union Club, to let to a gentleman, without meals; house first class and occupied by owner. S. B. GOODALE & CO., 5 West 23d st., Fifth Avenue Hotel.

NO. 121 EAST 23D ST.—FURNISHED ROOMS, with board, en suite or singly; house and appointments first class; table boarders taken; references exchanged.

NO. 4 EAST 29TH ST., BETWEEN 5TH and Madison avs.—Handsomely furnished rooms, with or without private table; table board, for two or three gentlemen.

TWENTY-SECOND ST., NO. 62 WEST.—Well-furnished front room, with alcove, hot and cold water, and first-class board; terms reasonable for the summer; references.

THIRD STORY ROOMS, WITH BOARD to gentleman and wife, or single gentlemen. American family, with home comforts; terms moderate; references. No. 236 West 37th st.

THREE PLEASANT NICELY-FURNISHED rooms, with bay windows, on second floor of a corner house; rented together or separately. Inquire at No. 120 Lexington av., corner of 28th st.

AT NO. 76 BARROW ST., NEAR HUDSON.—Furnished rooms to let, suitable for one or two single gentlemen, or gentleman and wife; gas and bath; only two in family.

NO. 41 WEST 16TH ST.—BOARD; FAMILIES or gentlemen only select, well-furnished rooms, with liberal table, at moderate prices; transient board also; reference.

FIFTH AV., NEAR DELMONICO'S.—Desirable suites of rooms, with or without board; also an elegant suite of parlors, in the spacious double house, No. 45 Fifth av.; Summer prices.

NO. 150 EAST 27TH ST.—HANDSOMELY FURnished second story room, with or without board, desirable for two gentlemen.

NO. 7 WEST WASHINGTON PLACE.—FURnished room and extension on second floor to let, with board.

A FRONT ROOM, WITH FIRST-CLASS board, to rent, where few boarders are taken; references exchanged. Apply at No. 281 4th av.

FURNISHED ROOMS TO LET—WITH OR without board, to gentlemen and wives and single gentlemen, at No. 36 West 29th st., near Broadway.

NO. 40 WEST 9TH ST., BETWEEN 5TH and 6th avs.—Single rooms to let, furnished; possession immediately.

NO. 48 EAST 21ST ST.—PLEASANT ROOMS with board. Basement to let as office. References exchanged.

NO. 72 WILLOUGHBY ST., BROOKLYN.—Twelve minutes to Wall and Fulton st. Ferries; large pleasant rooms; good table; references required.

NO. 117 WEST 34TH ST., FOUR DOORS WEST of Broadway, a handsome suite of rooms to let, with or without board; references.

NO. 47 EAST 28TH ST.—PLEASANT, WELLfurnished rooms, with board, to gentlemen only; terms moderate; references.

ROOMS FOR FAMILIES OR SINGLE GENtlemen to let, with or without board, at No. 128 East 23d st.

FIFTEENTH ST., NO. 42 WEST.—A NICE large front hall room on second floor to let, with board, at moderate price for permanent party.

NO. 291 5TH AV.—A VERY DESIRABLE SUITE of rooms, (private table if desired,) with the comforts of a retired home. Also room for gentleman.

DESIRABLE ROOMS, WITH BOARD; REFerences exchanged. Apply at No. 41 West 18th st.

TWO LARGE ROOMS, EN SUITE, TO RENT, with board, at No. 29 West 17th st.

FIFTH AV., NO. 847.—DESIRABLE ROOMS, with first-class table. References exchanged.

NO. 24 WEST 30TH ST.—LARGE AND SMALL rooms adjoining; also an office for a physician.

FIFTH AV., NO. 347.—DESIRABLE ROOMS, with first-class table; references

MAY ANNIVERSARIES.

COMMENCEMENT OF UNION SEMINARY.

FORTY-ONE GRADUATES—ADDRESS OF REV. DR. H. M. SCUDDER—NEW-ENGLAND TRANSCENDENTALISM.

The annual meeting of the Alumni of Union Theological Seminary was held yesterday afternoon, and the Commencement exercises took place in the evening. The meeting was held in the Seminary, Rev. Dr. Rockwell, of Stapleton, Staten Island, presiding. Dr. Rockwell was re-elected President for the coming year. Rev. J. D. Wilson, of the Central Presbyterian Church, was elected Secretary, and Prof. Baird, of the University, Chairman of the Committee of Arrangements. The Committee on the Library Fund reported progress, and were continued in office. Addresses were delivered by Rev. Mr. Abrams, Missionary to South Africa, Rev. Mr. Crane, and Rev. Mr. Lum, of Kansas. The Faculty and Board of Directors were represented by Rev. Dr. Hitchcock, who acknowledged the receipt of a check for $25,000 to renovate the building. The money is the gift of Mr. Frederick Marquand. At the conclusion of the meeting a collation was partaken of.

The exercises in connection with the graduation of the students took place at the Madison Square Presbyterian Church. Forty-one students graduated, all of whom were present with the exception of two, who had already gone on their missions. The exercises consisted of singing and prayer, the conferring of diplomas, and two addresses, one by Rev. Dr. H. M. Scudder, of Brooklyn, delivered at the request of the Alumni, and the other by Dr. Adams to the graduating students. The proceedings were opening with the singing of the 516th hymn, after which prayer was offered.

Dr. Scudder then delivered his address, in which he discussed two philosophical systems, one Oriental and the other Occidental, Hindoo Pantheism and American Transcendentalism. The Hindoo philosophy, he said, admitted a Supreme Being, but it—for they did not give that Supreme Being a personality—was a passive deity. He described and explained the different phases of their theology, which he said was included in their philosophy, with great minuteness. Its salient features were, as explained by Dr. Scudder, that it separated God from the communion of man, that it denied moral accountability, that it repudiated the existence of sin and holiness, that it breathed indifference to the soul's future interests, and that it set up self as all in all. Self was the Scripture and self the Saviour. Its results were no God, no soul, no divine government, no redemption. He then compared with it New-England transcendentalism. Boston, he said, was the centre of a theological boil which sadly required pricking. He described the transcendentalists as philosophical peddlers, and their philosophy as second-hand Hindooism. They denied, in the first place, the existence of any individual soul; secondly, they denied the existence of matter; thirdly, they rejected outward revelation; fourthly, they repudiated the notion of sin, and, lastly, they scorned the idea of a man looking away from himself to the Redeemer. Dr. Scudder quoted copiously from Emerson in support of his propositions. One passage which he quoted, and which he said he was sorry to have pass his lips, ran as follows: "Jesus would absorb the race, but Tom Paine and the coarsest blasphemer help the human races by resisting this exuberance of power." Their eyes, he said, was a string of negations, with the one positive proposition that self was everything. But if it had points in common with the Hindoo philosophy it had also points of difference. The Hindoo philosophy was at all events a compact system, which could hardly be said of New-England transcendentalism. The Hindoo theology could be understood, but Emerson's theology lay in scraps, and was incomprehensible. It was a starved foreign bantling which took a high-sounding title; it was a mere tadpole, but, as the tadpole, if it lived long enough, would become a full-grown, bloated frog, so, he said, there was hope for the pollywog philosophy of America. Finally, he exhorted his hearers that they should hold fast to the truth and set down any philosophy which repudiated the Bible as a lie.

At the conclusion of Dr. Scudder's address a hymn was sung, and then Dr. Adams addressed to the graduating students an appropriate exhortation. The diplomas were then distributed. The names of the graduates are as follows:

Franklin P. Berry, Dover, N. J.; James G. Bolton, Philadelphia, Penn.; Walter A. Brooks, Danville, Ill.; David H. Campbell, Antistown, Penn.; Charles N. Cate, Reading, Mass.; Washington Choate, Essex, Mass.; John Cowan, Parksburg, Penn.; Allen G. Daniels, New-York City; John H. Eastmann, Binghamton, N. Y.; Daniel F. Ferguson, Ogdensburg, N. Y.. Willison B. French, Cleveland, Ohio; William Frizzell, Georgetown, Ont.; Edwin F. Fuiton, Philadelphia, Penn.; John S. Gardner, Hartingen, N. J.; George E. Garretson, Jersey City, N. J.; Joseph F. Gibbs, Agawam, Mass.; James I. Good, Reading, Penn.; John C. Gourley, Murraysville, Penn.; Henry C. Granger, Chicago, Ill.; James W. Hageman, Freehold, N. J.; Lyman E. Hanna, Seville, Ohio; Arthur Johnson, Morristown, N. J., Calvin Keyser, Bellaire, Ohio; Achilles L. Loder, Brooklyn, N. Y.; Brainard T. McClelland, Oberlin, Ohio; C. D. McDonald, Glasgow, Scotland; Stewart Means, Steubenville, Ohio; Walter S. Peterson, Romulus, N. Y; Isaac M. Pittenger, Mansfield, Ohio; Charles B. Ramsdell, Washington, D. C.; William O. Ruston, New-York City; George N. Smith, Seneca, N. Y.; Daniel Staver, Dayton, Ohio; Charles C. Stearns, West Hartford, Conn.; Alexander C. Stewart, Sand Hill, Out.; Howard A. Talbot, Cleveland, Ohio; Roderick Terry, Irvington, N. Y.; Henry H. Washburn, Boston, Mass.; Charles T. Weitzel, New-York City; James D. Williamson, Cleveland, Ohio; Daniel M. Woolley, New-York City.

The exercises were terminated with singing and prayer.

THE UNIVERSAL PEACE UNION.

CELEBRATION OF THE NINTH ANNIVERSARY—ADDRESSES BY JULIA WARD HOWE, SUSAN B. ANTHONY, PEACE COMMISSIONER MEACHAM, AND OTHERS—PLATFORM OF THE UNION—ELECTION OF OFFICERS.

The ninth anniversary of the Universal Peace Union was celebrated yesterday at Plimpton Hall, Mr. Alfred H. Love presiding. Sessions were held in the morning, afternoon, and evening. Among those who attended were Julia Ward Howe, of Boston; J. F. Manning, Rev. E. C. Sweetzer, Susan B. Anthony, Rev. Mrs. Phebe A. Hanaford, and others. Reports were read from the American branch of the Union, from New-York, Pennsylvania, Dutchess County, Washington, Massachusetts, and Rhode Island. The report of the American branch of the Union was presented by the Secretary, Mr. Henry T. Child. After reviewing the progress which has been made of late years in the direction of bringing about a settlement of international difficulties by arbitration, the report alluded to the concessions recently made by the Russian Government to the Mennonites, by which they have been exempted from military duty, as another evidence of the progress of peace principles.

Among other resolutions adopted were the following:

Resolved, That we earnestly endeavor "to follow after the things which make for peace," and present those conditions which will make war impossible.

Resolved, That no contingency can arise that arbitration is not competent to settle; and no war can be waged that does not leave the wounds, the debts, and corruption to be healed by peace.

Resolved, That radical peace opposes all military academies and trainings, titles, and pay; all war stories and playthings for children; all death penalties; and points out the folly and wickedness of full-grown men appearing in a uniform of gaudy colors, and subjecting themselves to wounding or killing their fellow-beings, whenever ordered to do so by their superior officers.

Resolved, That we would not be wanting in full charity to the soldier and pity for his sufferings, when he acts out the highest convictions of duty, but we feel there is a higher civilization for the children of God.

Resolved, That a memorial, signed by the officers of this association, be presented to the President of the United States, suggesting the expediency of inviting other Governments between which and ours treaties are now existing to add a codicil, as supplement thereto, to the effect that in all international differences efforts for a peaceful settlement shall not be considered as exhausted until the matter in dispute shall have been referred to arbitrators, mutually agreed upon between the Governments interested.

Resolutions were also adopted in favor of treating the Indians with justice and humanity, as the surest means of civilizing them.

Peace Commissioner Meacham briefly addressed the meeting in reference to the policy pursued toward the Indians. George Harney, a chief of the Rogue River tribe of Indians, was then introduced. He spoke very intelligently, saying that the Indians wished to be treated fairly and to become civilized.

Rev. Phebe A. Hannaford delivered an address upon the influence of peace principles compared with the disdluzing effects of war.

Susan B. Anthony next spoke. She said that she was always for peace, even though she had to fight for it.

Mrs. Julia Ward Howe spoke in reply to some objections that had been used against the passage of the resolution setting forth that the members of the Pennsylvania Union were not wanting in charity to the soldier and pity for his sufferings. She said the question had often been asked them how they disposed of their own war during the late rebellion. She thought they should say in reply, after the manner of St. Paul, that they should leave the things that were gone by and look only to the future.

At the evening session addresses were delivered by several members of the Union upon various topics relating to the advancement of the peace policy. The following officers were elected: President, Alfred H. Love; Vice Presidents, Lucretia Mott, Julia Ward Howe, Robert Dale Owen, J. K. H. Wilcox, Phebe A. Hannaford, William Lloyd Garrison, and twenty-four others; Treasurer, C. W. Pierce; Secretaries, Henry T. Child, Elizabeth Underhill and others, and an Executive Committee of forty-four members.

FRIENDS OF THE SAILORS.

FORTY-SEVENTH ANNIVERSARY SERVICES OF THE AMERICAN SEAMEN'S FRIEND SOCIETY—VALUABLE STATISTICAL AND OTHER REPORTS—ELECTION OF OFFICERS—A NEW HOME TO BE ERECTED.

The officers and friends of the American Seamen's Friend Society celebrated its forty-seventh anniversary at the Sailors' Home, in Cherry street, yesterday afternoon, with the President, Richard P. Buck, in the chair. After an opening prayer, the President announced that the anniversary sermon would be delivered by Rev. John Hall, D. D., as soon as he could find time and a suitable occasion. He then called on Rev. Samuel H. Hall, D. D., the Corresponding Secretary and Treasurer, for the annual report, of which the following is a brief abstract: The society has forty-eight chaplains, missionaries, Bible and tract distributors, colporteurs and others. The number of libraries sent out is 893, on vessels carrying 10,517 men, making the total number sent out since the work was inaugurated, seventeen years ago, 5,233, containing at least 228,000 volumes, and accessible, in their frequent re-shipments, to 213,000 men. The whole number of libraries shipped in the United States Navy is 846, accessible at different times to 96,102 men. The Home during the past year has accommodated 2,118 boarders. These temporarily debited with the Superintendent $21,725, of which amount $9,662 was sent to relatives and friends, $3,050 was placed to their credit in the Savings Bank, and the balance returned to the depositors. The number of boarders accommodated since the establishment of the Home in 1842 is 87,540. The local societies during the year raised $11,352 60 for the Seamen's cause. The report makes mention of the decease within the past year of Robert Lindley Murray soon after his election as a Trustee, and of Rev. Thomas De Witt, D. D., ex-Gov. William A. Buckingham, William H. Aspinwall, Thomas W. Williams, Charles N. Talbot, and John C. Green. Esqs., Vice Presidents. Mr. Talbot was for twenty-seven years the Treasurer of the society. The total receipts of the society from all sources for the year ending May 1, 1875, were $66,770 05. The total expenditures were $64,858 12. When the report had been adopted, and pertinent remarks had been made by the President, by Rev. Drs. Spalding, Loomis, Hopper, and Jones, Capt. Duncan, and Mr. L. P. Hubbard, the following were elected to the three-year class of Trustees: Rev. John Spaulding, D. D.; John Dwight, Esq.; Henry A. Hurlbut, Esq.; Capt. David Gillespie, William Mathews, Esq.; Capt. C. C. Duncan, Rev. E. N. White, D. D., and Frederick Sturges. The other two classes were, in order, dropped one year of service.

The President, Richard P. Buck, was re-elected, as was the Corresponding Secretary, Hon. Theodore Frelinghuysen, of New-Jersey; Capt. Dabney, of New-York; William D. King, of New-Jersey; Henry P. Haven, of Connecticut; Commodore Stephen D. Townsend, United States Navy, and David Olyphant, of New-York, were added to the list of noted Vice Presidents in place of those who have died or resigned. On motion of the Corresponding Secretary, the Trustees are to be asked to secure the erection of a sailors' home, as a fitting celebration of the coming semi-centennial of the society. The society then adjourned.

NEW-YORK PORT SOCIETY.

At the annual meeting of the New-York Port Society yesterday the following gentlemen were elected Directors: George W. Lam, John W. C. Swindge, William K. Hinman, James B. Wilson, H. S. Terbell, William D. Harris, Daniel J. Holden, Samuel N. Stebbins, Richard J. Dodge, D. Jackson Steward, Thomas S. Shepard, William H. Macy, William H. H. Moore, James M. Morrison, Joseph A. Dudley, George W. Sigleston, James Fraser, D. A. Bronson, John Crosby Brown, Samuel Thorne, F. W. Downer, William Edsall, Henry Brewster, Charles M. Earle, N. Dana Wells, Jacob B. T. Hatfield, Archibald Baxter, John S. Williams, Richard S. Roberts, and Joseph A. Stetlin.

NEW-YORK LAW INSTITUTE.

At the annual election of officers of the New-York Law Institute yesterday the following gentlemen were chosen: President, Charles O'Conor; Vice Presidents, Charles Tracy, Samuel Blatchford, Joseph H. Choate; Corresponding Secretary, Benjamin D. Silliman; Recording Secretary, Joseph S. Bosworth; Treasurer, Edward H. Owen; Assistant Treasurer and Librarian, Aaron J. Vanderpoel; Library Committee, Edmund Terry, S. P. Nash, L. S. Thomas, H. C. Van Vorst, Edward Patterson, Thomas M. North, James C. Carter, William Watson. Committee on Jurisprudence, William M. Evarts, Edwin W. Stoughton, George De Forest Lord, John E. Burrill, Charles F. Stone, Edward Wetmore. Committee on Censorship, Erastus C. Benedict, Charles F. Southmayd, Edwards Pierrepont, Everett P. Wheeler, Montgomery H. Throop, John McKeon, Clarence A. Seward, Benjamin T. Kissam, Henry D. Sedgwick.

THE INTERNATIONAL RIFLE MATCH.

SECOND DAY'S PRACTICE BY THE TEAM—UNFAVORABLE WEATHER.

Yesterday was the second day appointed for practice by the American Rifle Team. There were only four members present, as business prevented the remainder from attending. During the third round at the 1,000 yards range, a heavy shower of rain drove the contestants from the field, and hardly had the marksmen resumed practice before another shower interrupted them, and subsequently a third, so that the record at that range was not wholly satisfactory. The aggregate scores were, however, very good. Following are the scores in detail:

COL. JOHN BODINE.

Yards.															Total.
800	4	3	4	3	4	4	3	4	4	4	4	3	4	4	—56
900	3	4	4	3	4	3	3	3	3	3	2	4	3	—49	
1,000	4	4	4	4	4	4	3	3	4	2	4	0	3	3	—50—155

GEN. T. S DAKIN.

800	3	3	3	2	4	3	4	3	3	3	4	3	3	4	—49
900	3	3	3	4	3	4	3	4	4	4	2	3	2	3	—48
1,000	3	4	4	4	0	2	4	4	2	3	4	3	4	3	—48—145

A. V. CANFIELD, JR.

800	3	3	4	4	4	4	3	3	4	2	3	4	4	3	—52
900	3	2	4	3	3	4	2	4	4	3	3	3	3	3	—48
1,000	3	3	R	4	3	3	4	2	2	3	3	3	4	3	—43—143

R. C. COLEMAN.

800	3	4	3	4	3	4	4	4	3	3	4	4	4	3	—54
900	2	2	3	4	4	3	3	3	3	4	4	3	2	3	4—47
1,000	3	3	0	4	3	2	2	3	0	0	4	0	3	3	4—34—135

The third practice day will occur to-morrow, when it is expected that Gen. Hawley will be present with the team.

SALE OF THE LATE DAN BRYANT'S FURNITURE.

The household furniture of the late Dan Bryant was sold at auction yesterday for the benefit of his widow and children, at his late residence, No. 20 West Sixtieth street. The sale was begun at 11 A. M., at which time, and during the two hours and a half occupied in disposing of the entire catalogue of articles, the various rooms were crowded with bidders and others, attracted thither from motives of mere curiosity. Several intimate friends and acquaintances of the deceased minstrel were also present, and purchased a number of pictures and fancy trifles. The furniture of the second, third, and fourth floors, consisting of bed-room sets, carpets, book-case, chairs, mirrors, engravings, &c., were first knocked down at pretty low prices. The carpets brought seventy-five cents per yard; easy chairs, $8 50 each; looking-glass, $12 50; engraving "Declaration of Independence," $5 50; other engravings from $2 to $10, and bedsteads from $60 upward. The parlor furniture and effects were the last put up, and they generally brought good prices. The velvet carpet was sold at $1 30 per yard; a costly parlor suite of rosewood and yellow satin consisting of two sofas, four chairs, and two arm-chairs, at $105; two blue satin chairs, $7 50 each; one plate glass mirror and cornices, $142 50; one fancy plate mantel mirror, $130; one easel, $32, and three fine engravings, representing Mr. Kemble in the characters of *Cato*, *Rolla*, and *Hamlet*, $48 each. The articles in the back parlor were sold at the following prices: Carpet at 68 cents per yard; five chairs at $3 50 each; one writing-desk at $14; library-table, $18; three cornices, $4 25 each; two punch-bowls, $19 50; plate mantel mirror, $135 50; lace window screens, 95 cents per window. The proceeds of the entire sale amounted to from $1,500 to $2,000.

UNITY AMONG RAILWAY MEN.

A meeting of railroad men was held yesterday afternoon, at the Brandreth House, for the purpose of taking steps to establish a permanent organization of railroad men in this City. About thirty agents connected with the prominent roads were present, including Mr. R. L. Crawford, General Agent of the New-York Central and Hudson River Railroad; Mr. L. F. Booth, General Eastern Agent of the Chicago and North-western Railroad; Mr. D. A. Freer, General Eastern Agent of the Missouri, Kansas and Texas; Mr. Frank L. Manchester, General Eastern Agent of the Houston and Texas Central; Mr. W. L. Van Nest, General Eastern Agent of the St. Louis and Iron Mountain, and Mr. A. L. Millan, General Eastern Ticket Agent of the Baltimore and Ohio Road. Mr. Booth called the assemblage to order, and Mr. Manchester officiated as Secretary *pro tem.* The objects of the new organization were announced to be to establish a stronger unity among railroad men, to extend aid to them when necessary, and to promote the welfare of railroad interests. A Committee on Organization was immediately appointed, which, after a brief consultation, presented the names of R. L. Crawford, for President; A. H. Pride, for Vice President; J. E. Russell, for Secretary, and O. H. Conn for Treasurer, all of whom were elected by acclamation. "The New-York Railroad Association" was adopted as the name of the new organization, and Messrs. Pride, Millan, and Booth were appointed a committee to draft suitable by-laws specifying the amount of initiation fee and regular dues. It is proposed to establish a permanent head-quarters for the convenience of members and their friends.

A DISPUTE IN THE POLICE BOARD.

GEN. SMITH DECLINES THE TREASURERSHIP—HIS COLLEAGUES INSIST THAT HE MUST ACCEPT IT—A STANDSTILL IN THE FINANCIAL AFFAIRS OF THE COMMISSION.

The Board of Police held a protracted session yesterday afternoon, all the Commissioners being present. Immediately after the reading of the minutes of the previous meeting, in which it was recorded that Gen. Smith, the newly appointed Commissioner, had been elected Treasurer, Commissioner Smith called the attention of his colleagues to the fact that no mention was made of his declination of the office which they had thrust upon him, and he moved to amend the minutes so as to place upon record the fact that he declined the office of Treasurer of the board. The motion was adopted. Subsequently, after a large amount of routine business had been transacted, Commissioner Voorhis offered a resolution that the President appoint Commissioner Smith a member of each of the standing committees of the board, to fill the vacancies created by the retirement of Commissioner Durvee, and that Commissioner Smith be appointed Chairman of the Finance Committee. Gen. Smith thereupon objected to so much of the resolution as made him Chairman of the Finance Committee, and said that he did not wish to assume the responsibilities of the chairmanship of that committee, as he did not think he could fulfill the duties with credit to himself and to the satisfaction of the board. In his opinion, the Treasurer should be the Chairman of the Finance Committee.

Commissioner Disbecker said that it had been the custom of the board for the Treasurer to be Chairman of the Finance Committee, and as it appeared by the minutes of the board that Gen. Smith was Treasurer, he should assume the chairmanship of the committee. Commissioner Smith replied that he did not concede that he was Treasurer of the board; on the contrary, he had declined the office on account of his inexperience in matters of finance, and for the same reason he positively declined to be the Chairman of the Finance Committee. If he could serve the board in some capacity more in accordance with his former experience of life, he would be glad to do so, but he did not wish to be either Treasurer or Chairman of the Finance Committee. Commissioner Voorhis said that the committee consisted of all the members of the board, with the President as an ex-officio member. There was a vacancy in each of the Committees on Rules and Discipline, on Repairs and Supplies, on Surgeons, and on Street Cleaning, caused by the retirement of Gen. Duryee, and it was necessary for these vacancies to be filled, to enable the committees to have a quorum to transact business, in the absence of one of the Commissioners. The Finance Committee at its next session could select its Chairman as the vote was that it had invested the Treasurer with the chairmanship of that committee. With this understanding Commissioner Smith withdrew his objection to the motion, and it was adopted.

The election of Gen. Smith as Treasurer gives rise to a conflict among the Police Commissioners. The General was elected Treasurer, in the absence of the board owing to his positive declination of the office, and since his election by the votes of his associates has taken no steps to qualify for the position by filing bonds as required by law. Messrs. Matsell, Voorhis, and Disbecker all look upon him as the Treasurer of the board, and owing to this difference of opinion, matters in the office of the Treasurer are at a standstill, and persons whose claims against the department have been passed upon by the appropriate committees cannot receive their money, as there is no person who is authorized to sign the necessary checks for the payments. It is the desire of Mayor Wickham that Gen. Smith shall be elected President of the board, but his wishes are obstructed by Mr. Matsell, who clings to the position. Commissioner Voorhis, it is stated, strongly favors the retention of Mr. Matsell as President, and if he persists in this course no reorganization of the board can be effected at present.

THE EAST RIVER STEAM-BOAT COLLISION.

Coroner Woltman began an inquest yesterday in the case of the Costa children, four in number, who were drowned on the 3d instant by the steamer City of Hartford running down the ballast scow, in the cabin of which they were. John H. Powell, chief officer of the ship Hamilton Fish, heard the Captain of the canal boat Seymour hail Capt. Costa, who, with his two sons, were on deck, and tell him the steamer was running into him. The next minute the collision occurred. Mrs. Costa got out of the cabin as the scow turned over. It was slack tide, and the wind was puffy. The deck of the scow was eighteen inches above the water. One end of the scow was fast to the Hamilton Fish and the other end to the Isaac Webb. The ballast had been taken off the scow at both ends, and she laid in the water pretty level.

Edward Russell, a labor, of No. 43 Oliver street, testified that into steamer, previous to the collision, was trying to break her headway; he could not tell how the steamer came to strike the scow; the steamer had to pass Pier No. 24 to get her line out; when passing Pier No. 24 her engine was reversed; the morning was windy and squally.

Isaac Warburton, mate of the Isaac Webb, saw Capt. Costa's son jump to the canal-boat, and saw Costa drag his wife out of the hatch as the scow was turning over; the Hartford had her engines reversed; she had on a headway of a half mile an hour when the collision occurred; the Hartford ought to have been closer to the dock, and have had her line out; it was the impression of the witness that if the pilot of the Hartford had known the children were on board the scow the accident would never have happened.

August Oscar Anderson, of the canal-boat Seymour, testified that the Hartford came into the dock with such a strong headway that he thought she would run down his boat as well as the scow. The inquest was adjourned to Friday.

METHODS OF PROTECTING GAME.

The closing meeting of the New-York Association for the Protection of Game for the season 1874-5, was held last night at the residence of Royal Phelps, Esq., President, No. 22 East Sixteenth street, Mr. Phelps presiding. After the minutes of the previous meeting had been adopted, the Secretary read a communication from Middleton, Carman & Co., fish dealers in Fulton Market, against whom a judgment for $2,566 had been obtained by the association for selling brook-trout out of season, stating that they were not aware that the trout were in their possession, and had not offered the prohibited fish for sale, and suggesting that the payment of costs, which amount to about $500, would be a satisfactory settlement. After a discussion, participated in by Messrs. Wight, Gilbert, Palmer and Carter, who are opposed to any leniency whatever, it was decided that the counsel of the Association should be authorized to accept from Middleton, Carman & Co., payment of the judgment already obtained and costs, the association to discontinue the suit now pending, in view of the promise of the defendants not to offend in future.

Mr. Whitehead said that the bill proposed by the association prohibiting the shooting of ducks between sundown and sunrise, the use of pound-nets, and the shooting of English snipe and Spring birds, to which a large number of members were antagonistic, had been reported, but he doubted very much whether it would go any further, in view of the short time intervening before the adjournment of the Legislature. The Committee on Amending the Game Laws, was, on motion, discharged.

The meeting then adjourned to meet in November, at the residence of Mr. Phelps.

RAILROAD NOTES.

On Friday last the Baltimore and Ohio Railroad Company reduced the rate of fare between Chichago and Pittsburg from $12 to $7—the tickets good until used. The Pennsylvania Railroad Company has also reduced its rate between the same places to $8 50, with limited tickets. The fare between Wheeling and Baltimore and Washington has also been reduced on the latter road from $10 to $5.

A meeting of the general freight agents of the Western roads was held in St. Louis on the 6th inst. to rearrange the arbitrariies from Toledo, Cleveland, and Buffalo.

The Erie Railway Company yesterday concluded a contracs with the Watson Manufacturing Company of Paterson for a Post iron bridge, to be built in place of the one burned at Portage. It will be placed on iron piers 234 feet high, and is to be finished in forty-five days. During the construction of the bridge the express trains will be run to Buffalo via Avon. The only interruption to travel will be to passengers from local stations on the branch between Hornellsville and Attica, who will have to be transferred at Portage.

The United States District Attorney has commenced a suit against the Milwaukee and St. Paul Railway Company for $627,000 taxes and fines claimed by the Government to be due, under various acts of Congress between June 1, 1862, and Jan. 1, 1872.

INTERNATIONAL SUNDAY-SCHOOL CONVENTION.

BALTIMORE, May 10.—The first International Sunday-school Convention assembles in this city at Masonic Temple to-morrow morning. A very large number of delegates arrived yesterday. Up to Saturday night last 470 delegates had expressed their intention to be present, representing twenty-four States, Canada, Nova Scotia, and England.

CITY AND SUBURBAN NEWS.

NEW-YORK.

We are once more indebted to the management of the White Star Line for liberal additions to our European files.

The anniversary exercises of the Home for the Friendless will be held to-morrow, at 4 P. M., in the Church of the Disciples.

David Fowler, six years old, of No. 620 East Forty-eighth street, was drowned last night at the foot of West Forty-eighth street.

A homeless sailor, whose name is supposed to be James Fisher, dropped dead last night in a grocery, at No. 101 Roosevelt street.

At a meeting of the New-York Geneological and Biographical Society, to be held to-morrow evening, a sketch of the life of the late Dr. Montgomery will be read.

Mr. Algernon Sartoris, son-in-law of President Grant, returned from England in the steamship Celtic, and left the City last evening for Washington, where his wife has been residing during his absence.

This evening Rev. N. E. Cornwall, D. D., will deliver a lecture in the hall of Rutgers College, in aid of free church services in the Twentieth ward. Subject, "The Bible Safe and Sure, from First to Last."

At the meeting of the New-York Academy of Sciences, (late Lyceum of Natural History,) last night, at No. 64 Madison avenue, papers on chemical subjects were read by Dr. H. C. Bolton, Prof. Henry Wurtz, and Mr. E. J. Hallock.

The sailors in the Seamen's Retreat Hospital have issued a card of thanks to Dr. King, Physician in Chief; Dr. Johnson, House Physician, and the other officers of the institution for their unvarying attention to and kind treatment of the patients.

At the meeting of the Emigration Commission to-day, Commissioners Starr and Stevenson will occupy their positions as usual. The term for which they were appointed expired on the 7th inst., but as their successors have not yet been appointed they will hold over until such appointment.

A triennial meeting of the General Society of the Cincinnati, consisting of the delegates from the different State societies, will be held at Delmonico's, in Fourth street, at 12 o'clock M. to-morrow. The delegates will be received by the members of the New-York State Society, and the session will probably occupy two days.

Over 400 of the superintendents, engineers, and artisans of the great locomotive works throughout the United States will visit the Fifth Avenue Theatre this evening in a body, accompanied by their hosts, the merchants of New-York. The sale of seats promises an extraordinary attendance to meet these gentlemen.

Rev. J. M. Phillips, M. D., and wife, and Miss Julia E. Phillips, who have been missionaries in India for the past ten years, returned to this City yesterday by the Celtic. A public reception will be given to them by their friends, in Grace Baptist Chapel, Twenty ninth street, two doors west of Ninth avenue, this evening at 7:30. All their friends and the friends of foreign missions generally are invited to be present.

At a meeting of the Labor Reform League, held at Masonic Hall yesterday afternoon, Mr. E. H. Haywood, of Boston, presiding, the following officers were elected for the ensuing year: President, L. K. Joslin, of Rhode Island; Vice Presidents, J. K. Ingalis, of New-York; Mrs. Elizabeth Hughes, of California; Mrs. L. M. Tilton, of Massachusetts; Mrs. W. E. Lukins, of Illinois; E. B. Harren, of New Hampshire; Stephen Pearl Andrews, of New-York; Leumel Parmelee, of Louisiana; L. M. Patterson, of Pennsylvania; A. W. St. John, of Missouri; Edward Palmer, of New-York; William K. Cowing, of Maine; W. G. Markland, of Minnesota; J. F. Bray, of Michigan; and W. B. Greene, of Massachusetts. Secretaries, William Hanson and E. H. Haywood; Treasurer, Benjamin R. Tucker; Executive Committee, L. J. Goslin, J. K. Ingalis, E. H. Haywood, William Hansen, Josephine S. Tilton.

BROOKLYN.

At the meeting of the Board of Aldermen yesterday a resolution was carried urging on the Legislature the passage of the bill to increase the pay of the firemen of this city.

In the matter of the foreclosure of a mortgage held by the Globe Fire Insurance Company against the Tomkins Avenue Presbyterian Church, counsel for the church Trustees made a motion yesterday for a stay of proceedings and the appointment of a commission. Judge Gilbert denied the stay of proceedings, but decided to appoint a commission.

The funeral of the late Samuel N. F. O'Dell, took place yesterday from the Methodist Church on Sands street. Bishop Janes preached the funeral oration. The pall-bearers were Albert Woodruff, Herold Dolliver, Mr. Heydecker, James H. Taft, S. S. Otter, D. B. Phillips, H. G. Fay, and A. B. Thorn. The funeral services were largely attended, and the floral offerings were abundant and beautiful. The remains were interred in Green-Wood Cemetery.

At the annual meeting of the stockholders of the Long Island Fire Insurance Company, held yesterday, the following Directors were elected: Peter C. Cornell, B. W. Delamater, Frederick Marquand, H. K. Corning, Charles E. Bill, John A. Lott, Neziah Wright, Charles P. Leverich, Isaac Hyde, Jr., Daniel A. Robbins, Charles H. Rogers, George W. Thompson, Henry S. Leverich, George A. Thorne, Jonathan Thorne, John G. Vassar, William W. Henshaw, J. Sullivan Thorne, John T. Martin, Edward Whitehouse, John Lefferts, Henry S. Terbell, William A. Martin, A. J. Akin, and William Hartun.

LONG ISLAND.

The ceremonies attendant upon the laying of the corner-stone of the Grace Methodist Episcopal Church, corner of Fourth and Ovington avenues, Bay Ridge, will take place at 3 P. M. to-morrow.

STATEN ISLAND.

At the annual meeting of the stockholders of the North Shore Ferry Company of Staten Island, held at New Brighton, the following gentlemen were chosen Directors: G. H. Carley, Owen Harnan, W. H. Pendleton, (President and Treasurer,) J. M. Pendleton, (Vice President,) A. G. Carpenter, (Secretary.)

NEW JERSEY.

Collector Love of Jersey City, reports the receipt of $12,706 03 in taxes and assessments, last week.

The body of an unknown man was found floating in Woodbury Creek, near Woodbury, Sunday. The body has not been identified.

Mrs. Henry Strohmeyer, the wife of a workman employed at Matthiessen & Wiecher's sugar refinery in Jersey, was safely delivered of four children at a birth on Saturday night.

Patrick Downing, who is partially demented, has been missing from his home, in Cherry street, Newark, since Saturday, afternoon. It is feared that he has met with some accident.

The body of an unknown man was found yesterday morning floating in the Morris Canal, near the Hackensack Locks, and was removed to Reinhard's Morgue to await the action of the County Physician.

Coroner Reinhard commenced an inquest yesterday in the case of an unknown man, whose body was found lying on the Northern Railway track near Fairview station. On examination a hole was found in the back of his head, and it is supposed that he fell from a passing train.

A Mrs. Mullins, the wife of a well-to-do farmer in Clark township, Union County, recently eloped with a man named Ashcroft, one of her husband's farm laborers, taking with her a little daughter between four and five years of age. The farmer would be quite contented if he had his daughter back.

The condition of Carruth, who was shot by J. K. Landis at Vineland, has so far improved that he is now able to sit up, and it is probable that Landis will soon be admitted to bail. Under instruction from the Judge of the Cumberland County Circuit, the Grand Jury will not investigate the case at its present session, because it is yet uncertain whether the victim will die from his wound or not.

Bridget Ryan, who was so severely burned by the explosion of a kerosene oil lamp, during a drunken fracas in Rai road avenue, Jersey City, last Thursday night, is lying in the City Hospital at the point of death. The three women who were engaged in the row are held to await the result of her injuries, as it is alleged that the explosion was caused by one of them striking Bridget Ryan with the lamp. Mrs. Ryan's ante-mortem deposition will be taken to-day unless her condition is improved.

The contested election case of Archibald White vs. Marmaduke Tilden, which has been on trial in the Hudson County courts for several days past, was decided yesterday by a verdict in favor of White. In his summing up, Judge Knapp indulged in some severe reflections on the evilest frauds which had been perpetrated. The jury was out about half an hour, when they returned with a verdict in favor of White. As the term is for two years, White will occupy a seat in the Board of Aldermen until next Spring.

BOARD OF VISITORS TO WEST POINT.

The list of the Board of Visitors to the Military Academy at West Point for 1875, appointed by the President, is as follows: Prof. J. P. Kellogg, Illinois; H. H. Fay, Rhode Island; Gen. Jacob Ammen, Maryland; William Dowd, New-York; Adjutant Gen. N. B. Baker, Iowa; Prof. D. C. Gilman, California; Vice Admiral S. C. Rowan, United States Navy. Those appointed by the President of the Senate are as follows: Hon. William B. Allison, Iowa; Hon. W. Ransom, North Carolina. The following are also appointed by the Speaker of the House of Representatives: Hon. B. F. Butler, Massachusetts: Hon. S. A. Hurlbut, Illinois, and Hon. T. J. Creamer, New-York.

MOVEMENTS OF VICE PRESIDENT WILSON.

MEMPHIS, May 10.—During the forenoon Vice President Wilson visited the Lemoyne Colored School, and made a brief address to the scholars, by whom he was presented with numerous bouquets. He also visited the Clay Street Colored School, the Peabody Institute, the St. Agnes Academy, and the German Lutheran Picnic, at each of which he was warmly received. Returning to his hotel he was visited by a large number of prominent citizens and a large delegation of colored men. At 3 o'clock he left on the train for Little Rock, from which city he goes to St. Louis. He expressed himself delighted with his visit to the South and the kindness with which he had been received by all classes.

[Advertisement.]

"IN THE NAME OF THE GREAT JEHOVAH AND THE CONTINENTAL CONGRESS" was the patriotic utterance of the gallant Ethan Allen. It is now in everybody's mouth. As all of KNOX's patrons are patriotic, his HATS are equally popular, hence the rush to his stores, No. 212 Broadway and in the Fifth Avenue Hotel.

[Advertisement.]

WOLCOTT'S CATARRH ANNIHILATOR cures catarrh. Established seventeen years. WOLCOTT'S Pain Paint destroys pain, subdues inflammation; cooling, pleasant, acts instantly. Sold everywhere.

BUFFALO MARKET.

BUFFALO, N. Y., May 10.—Receipts—Flour, 8,700 bbls.; Wheat, 29,000 bushels; Corn, 41,000 bushels; Oats, 40,000 bushels; Barley, 3,000 bushels. Shipments Flour, 8,350 bbls.; Wheat, 2,900 ousbels